

**Smoke Signals:
Cannabis Moral Panics in the United States,
Australia & Britain**

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Abstract

Cannabis is the most commonly used illicit drug in the United States, Australia and Britain. It is also the drug surrounded by the most controversy. While the cannabis plant was once an innocuous plant present in all three countries, used as a reliable commodity and valuable medicine, its use as a psycho-active substance has seen the debate over the drug polarised between absolute fear and loathe, and its total acceptance as a harmless, recreational activity. This thesis investigates the condemnation and moral panics surrounding cannabis, and proposes that the discourse surrounding the drug has experienced four main phases: 'racialisation'; 'criminalisation'; 'popularisation'; and, 'medicalisation'.

The first of these moral panics led to the racialisation of cannabis. The common recreational use of the drug by members of certain 'races', who were seen as inferior to the dominant, white, Anglo culture, was used as a target against them. Their use of cannabis, and the resulting legislation that was introduced as a reaction to their use, was employed as a form of control over these groups who were disliked for their differences. Racial minorities were again targeted in the criminalisation of cannabis, as were jazz musicians and sections of the white criminal class, and the drug was portrayed as having the ability to lead users to serious, violent crimes and perverse sexual acts. Legislation continued to be passed against the drug in the United States, Australia and Britain, even though only a small proportion of their populations indulged in the use of the drug. The popularisation moral panic occurred in the decade of the 1960s due to the rapid growth in the use of cannabis among large sections of the youth population. Instigated due to the fact that its use had become a popular recreational activity amongst white, middle-class youth, the moral panic suggested that the use of cannabis led to 'antimotivational syndrome'. As a result of the popularisation of cannabis, users of the drug became differentiated subjects. The fourth moral panic surrounding cannabis was associated with the medicalisation of the drug. Harm minimisation was a key issue in this cannabis discourse, and legislation was changed to distinguish between sale and possession of the drug. More recently, the debate over whether cannabis is a cause of mental illness fits within the medicalisation discourse of the drug.

It is concluded that, while there are both similarities and differences within the four cannabis discourses in the United States, Australia, and Britain, the moral panics that occurred have led to a distortion of the reality of the drug in each of the countries. While cannabis does not turn its users into serial killers, as once suggested, or irreversibly destroy their brains, it is a powerful intoxicant and ought to be a matter of public concern, if not moral panic. The issue is however, *how* the drug is used, and abused, not whether it *ought* to be used, and the media should be used to promote safe use of cannabis rather than creating panic over the drug.

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Introduction

Cannabis is the most commonly used illicit drug in the United States, Australia and Britain. It is also the drug that is surrounded by the most controversy. Despite the numerous independent and government commissions, scientific investigations, sociological, pharmacological, criminological and medical studies, legislative assessments and political consideration, there is still no consensus of opinion on the place of cannabis in society (Booth 2003). The cannabis debate is polarised between the view that it is an innocuous social drug, and the belief that it is a serious danger to society (Booth 2003). An excess of often distorted information surrounding cannabis has led many to be confused as to the real consequences of its use (Del Olmo 1991). It has been presented as the unknown and the forbidden which has resulted in the drug representing a form of 'other'. The concept of the 'other' has been developed within sociology to describe the distancing of certain people, values and/or behaviours from what is considered acceptable according to mainstream definitions. People, both groups as well as individuals, have become the representation of this 'other' and expressions of the fear (Del Olmo 1991). These conflicting beliefs about cannabis are a result of decisions and portrayals surrounding the drug that have occurred since the beginning of the twentieth century and still continue today.

The cannabis plant was once a widely used substance in the United States, Australia and Britain. The fibrous stem of the plant, known as hemp, was used to make, among other things, textiles, paper, ropes, sails and bowstrings. Its worth as a commodity saw the first American law concerning the plant, passed by the Virginia assembly in 1619, require every household to grow it (Schlosser 2003). In some American colonies, hemp was able to be used as legal tender in an attempt to boost its production and relieve colonial shortages in currency (Schlosser 2003). Cannabis was also a common ingredient used in patent medicines and was sold openly by medical practitioners, pharmacists, homeopaths and grocers (Manderson 1993) as a cure for common ailments such as migraines, rheumatism and insomnia (Schlosser 2003). Cigares de Joy (cannabis cigarettes) were also available to be purchased freely over the counter until into the twentieth century (Manderson 1993).

It was the association of cannabis with certain groups that changed the perception of the drug and altered its place in American, Australian and British societies. Initially, it was its common recreational use by members of certain 'races' which instigated its condemnation. The 'racialisation' of drugs can be seen most predominately in the history of opium use within Chinese culture. In terms of cannabis, it was its use by the Mexicans, and later the African-American populations in the United States that marked the beginning of the use of 'race' as a symbol to represent the drug as the 'other'. The connection of cannabis with its widespread use in Mexican culture saw the Mexican colloquial name for the drug, 'marijuana', begin to be used commonly and interchangeably when referring to cannabis worldwide, and a change in the spelling of 'marihuana' to 'marijuana'.

The racialisation of the drug began as a result of its use by certain groups whose immigration to the United States, Australia and Britain was seen as a threat to the dominant culture already in existence. Their use of cannabis, and the resulting legislation introduced as a reaction to their use of the drug, was employed as a form of control over these groups who were feared and loathed for their differences. Therefore, early cannabis legislation was not a result of protection from the dangers of the drug, it was a result of the ability of prohibition to control these groups who were seen as inferior and a threat to white, Anglo ideals. The timing of the cannabis legislation that emerged coincided with the development of a host of anti-immigration laws that were also enacted.

Following from, but also used to contribute to the racialisation of cannabis, began the 'criminalisation' of cannabis. This was instigated by the 'Reefer Madness' campaign, developed initially in the United States, which damned cannabis for its perceived ability to lead users to engage in horrendous crimes. Again it was racial minorities that were the target of this new attack that saw cannabis use as a social problem with the ability to undermine moral restraints and lead to criminality and violence (Clausen 1976). The birth of both the jazz scene and bop music occurred during the criminal campaign against cannabis and both the musicians, who were commonly black, and the followers of the music became targets of the crusade due to their use of the drug. Cannabis was seen as mysterious and connected to marginalised groups in society and the legal discourse gave rise to a moral stereotype that associated drugs with dangerousness (Del Olmo 1991). Legislation continued to be passed and the use of cannabis, in which only a small proportion of the population participated in, continued to be condemned.

This situation changed in the 1960s with the 'popularisation' of cannabis. White, middle-class youth began to experiment with the drug as part of their rebellion against and rejection of the dominant culture. Again music was a big part of the era, as well as the discourse surrounding cannabis. Rock music was born and its musicians promoted the drug both through their lyrics as well as through their own use. The political climate surrounding cannabis altered significantly during this time. Leaders such as John F. Kennedy and Gough Whitlam prompted investigations into cannabis in an attempt to seek the truth about the drug. Their leadership styles gave youth hope of more lenient cannabis legislation. This thinking did not last long though, with successive governments proclaiming a 'war on drugs', which included cannabis. The involvement of white, middle-class youth in the use of cannabis changed the discourse surrounding the drug. Users of the drug, who were once seen collectively as 'bad' and 'dangerous', began to be differentiated between, with white middle-class youth being seen as 'victims' of the drug.

Following from this period in the history of cannabis, and still evident today, is the 'medicalisation' of cannabis. As a result of the drug's widespread use, a medical-juridical discourse was developed in which cannabis was seen as a struggle

between 'good' and 'evil'. The consumer of the drug, depending upon one's place in society, was seen as sick as a result of an addiction to the drug, while the trafficker continued to be defined as criminal. More recently, there has been a renewed condemnation of cannabis, with claims that use of the drug results in mental illness, in particular schizophrenia and psychosis. It can therefore be seen that in the past one hundred years, cannabis has been presented as the symbol of an array of different images, and became defined as 'dangerous' because it was banned rather than banned because it was dangerous (Wodak & Moore 2002). The media has been an important tool in the development of these symbols.

The Media and the 'Moral Panic'

The media is both an institution designed to inform the public and a business concerned with generating an audience. As a result of these dual objectives, the reporting of news is 'as likely to sensationalise events as it is to report them, as likely to serve as an instrument of propaganda as it is to be a source of information, and as likely to be a creator of myth as it is to be a purveyor of truth' (Brownstein 1991:86). According to British criminologist, Jock Young, the media industry can be seen as 'the guardians of consensus', with the ability to spread terror through its 'possibility to hierarchicize social problems, quickly dramatize them, and create moral panic over a specific type of behaviour in a surprisingly systematic manner' (1974, cited in Del Olmo 1991:12). The media report information which is 'newsworthy', they 'select events which are atypical, present them in a stereotypical fashion and contrast them against a backcloth of normality which is overtypical' (Young 1971:35). The media has the ability to create social problems by presenting a topic dramatically and overwhelmingly. They can very quickly and effectively 'fan public indignation' and engineer what is known as a 'moral panic' about a certain subject (Young 1971:37). The concept of the moral panic is based on the notion that 'societal outrage or concern can be directed against certain groups in society through the representation of negative images of them in the media' (Simpson 1997:9). Over the last one hundred years, cannabis and its users have been the subject of numerous media-fuelled moral panics, and, in accordance with the theory of a moral panic, have come to symbolise a danger to consensual values and interests which is out of proportion to the threat that the situation actually represents (Springhall 1998).

A moral panic can be seen as an 'explosion of fear and concern at a particular time and place about a specific threat' (Goode & Ben-Yehuda 1994:150) from which the public concern that is generated is in excess to what would be appropriate if concern was directly proportional to objective harm (Springhall 1998). Stanley Cohen (1972) first popularised the term with the publication of his work *Folk Devils and Moral Panics: The Creation of Mods and Rockers* in the 1970s. A key concept of Cohen's theory is that the process of creating a moral panic is not to understand and address the reasons for the behaviour but simply to suppress it. The moral panic presents the behaviour as essentially evil without

consideration of its origins, causes or context. This fuels a popular reaction that leads to the demonisation of a group of people and/or behaviour, which Cohen labels the 'folk devil' (Cohen 1972). In all four stages of the cannabis history which have been described above, the racialisation, the criminalisation, the popularisation and the medicalisation, the media has been used as a tool in the condemnation of the drug which has become the folk devil.

Goode and Ben-Yehuda (1994) suggest that there have been three principal theories developed to explain the existence of the moral panic which all take into consideration two dimensions: the morality versus interests dimension and the elitism versus grassroots dimension (Goode & Ben-Yehuda 1994). The first dimension considers the motive of the moral panic and whether the issue came about due to ideology and morality, or because certain actors stood to gain something if others became concerned with the issue (Goode & Ben-Yehuda 1994). The second dimension is concerned with from which position in society the condition begins and how many people are involved with its construction. The panic can originate from the bottom of a society and progress upwards, or from the top down. The panic is also able to be manifested in the middle of the status, power and wealth hierarchy of a society (Goode & Ben-Yehuda 1994).

The first of the theories begins with Cohen's (1972) sociological study of the 'Mods and Rockers' phenomenon of the mid-1960s and is known as 'Interest-Group' theory. The activities of the Mods and Rockers at the time were regarded as indicative of an 'imminent social breakdown', and the moral panics that resulted were initiated in an attempt to restore social equilibrium in British society (Springhall 1998). Material and/or status interests are crucial to this theory which argues that moral panics originate neither from the top nor the bottom of a society, but within the middle-classes (Goode & Ben-Yehuda 1994). Cohen (1972:9) suggests:

Societies appear to be subject, every now and then, to periods of moral panic. A condition, episode, person or group of persons emerges to become defined as a threat to societal values and interests; its nature is presented in a stylized and stereotypical fashion by the mass media; the moral barricades are manned by editors, bishops, politicians and other right-thinking people; socially accredited experts pronounce their diagnoses and solutions; ways of coping are evolved or (more often) resorted to; the condition then disappears, submerges or deteriorates and becomes more visible. Sometimes the object of the panic is quite novel and at other times it is something which has been in existence long enough, but suddenly appears in the limelight. Sometimes the panic passes over and is forgotten, except in folklore and collective memory; at other times it has more serious and long-lasting repercussions and might produce such changes as those in legal and social policy or even in the way society conceives itself.

According to this theory, moral panics are generated by the media, or by particular interests groups through the media, to publicise their concerns (Cohen 1972). Every moral panic has to have a scapegoat; the folk devil onto whom public fears are projected. Cohen (1972) suggests that the moral panic is not about the folk devil, the moral panic is the folk devil, in that the folk devil would not be perceived as a problem without the moral panic.

The 'Elite-Engineered' model of the moral panic was developed at length by Stuart Hall and his associates in *Policing the Crisis: Mugging, the State, and Law and Order* (Hall, Critcher, Jefferson, Clark & Roberts 1978). This theory suggests that small and powerful groups deliberately and consciously begin campaigns to generate and sustain fear, concern and panic within society over an issue of which they know is not as harmful as it is made out to be (Goode & Ben-Yehuda 1994). Sometimes this is done in an attempt to divert attention away from the real problems in society which might have the ability to undermine the interests of the elite. Central to the theory is the idea that the elite have great power over other members of society; dominating the media, determining legislation and the direction of the law (Goode & Ben-Yehuda 1994). To illustrate this power, Hall and his associates incorporate the Gramscian concept of 'hegemony' in their analysis of moral panics around mugging and the alleged criminality of young Afro-Caribbean males in England. They suggested that the moral panic was able to create the social conditions of consent necessary for the construction of a society more focused toward law and order and less inclined to the liberalism and permissiveness of the late 1960s (Mc Robbie & Thornton 1995). Their study of mugging concluded that the public and political alarm over street crime was established by the ruling elite in order to divert attention away from the crisis in British capitalism (Schissel 1997).

While the Elite-Engineered theory is in agreement with the Interest-Group theory that the media is among the most powerful forces in the shaping of public consciousness about topical and controversial issues, the second theory argues that moral panics typically originate in statements by members of the ruling class that are amplified by the media. Therefore, the media is not responsible for creating the news but rather reproduces and sustains the dominant interpretations of it and can therefore be seen to function as an instrument of State control (Schissel 1997).

Finally, the 'Grassroots' model of the moral panic argues that panic originates from the general public. According to this theory, politicians and the media cannot fabricate concern where there was no concern initially and, therefore, the moral panic is based upon genuine public concern, reflected and magnified by the media (Hunt 1997). This model acknowledges that public sentiment in itself is insufficient to create a moral panic. A vehicle is needed to elevate a latent fear or concern into widespread mutual awareness, most commonly through the mass media, political speeches and/or action groups (Goode & Ben-Yehuda 1994).

However, what is central to the theory is that fears and concerns cannot be developed in an indifferent society; a moral panic requires widespread public support in order for it to develop (Goode & Ben-Yehuda 1994).

When looking at the history of moral panics that have surrounded cannabis and its use from the early 1900s, it is evident that these three theories are not mutually exclusive. Cannabis moral panics have emerged as a result of both genuine concern and material and/or status interests from all levels of the social hierarchy as will be discussed in the following chapters. Therefore, a moral panic does not have to meet the criteria exclusively for just one of the theories, but can have a combination of the ideas of all three theories.

Despite the origin or motive behind a moral panic, the result is the media setting in motion a 'deviancy amplification spiral' in which a moral discourse is established and leads to the demonisation of the perceived wrong-doers as a source of 'moral decline' and 'social disintegration' (Jewkes 2004). Criminologist Leslie Wilkins developed the concept in 1964 to expose the consequences of outlawing a particular group in a society. According to the notion, such widespread condemnation can lead the group to feel more marginalised, which results in an increase in their deviant activity and, therefore, the group appears more and more like the representation which was originally portrayed by the media (Jewkes 2004). The deviancy amplification spiral is almost always initiated in terms of, and often because of, incorrect perceptions (Young 1971). As Cohen (1972:198) suggests, 'the manipulation of appropriate symbols – the process which sustains moral campaigns, panics and crusades – is made much easier when the object of attack is both highly visible and structurally weak'. This is clearly evident in the racialisation moral panic of cannabis.

There appears to be a structured relationship between the media and the ideas of the powerful sectors in society, which has the ability to have a significant effect on public opinion. This, coupled with the monopolisation of the media industry by a few major media corporations and the media industries passion for profit, results in the production of sensationalist and often uncontested news accounts (Schissel 1997). The information that the media presents to the public is not only stereotypical, but it is also one-dimensional, and is the starting point from which the deviancy amplification spiral escalates (Young 1971). This influences the way in which people are treated and regarded, as the determining factor in the way one treats another is the type of information that is received about them (Young 1971).

The various moral panics and discourses that have surrounded cannabis have created stereotypes that function to dramatise and demonise the drug (Del Olmo 1991). The discourse has been dominated by metaphors of war such as the famous 'War on Drugs'. When President Nixon proclaimed a war on drugs and described drugs as a 'public enemy', he incited an image into the public consciousness where drugs were perceived as a threat to the social order (Del

Olmo 1991). Metaphorical language is often used to understand complex situations (Lakoff 1991). Through association, 'reinscribing complex phenomena in terms of the familiar' and processes of 'opposition, reduction and conflation', metaphors turn people and events or behaviours into 'essentialised, constrastable categories' (Poynting, Noble, Tabar and Collins 2004:62). The war metaphor, used in the cannabis discourse, has a moral and political basis, serving to legitimate state action and interests (Lakoff 1991) and to ensure the population that a large scale effort is underway (Herman 1991). The metaphor induces a battle between 'us' and a 'them', where cannabis is deemed as the 'other', and military action is explained and justified through the demonisation of the enemy, who is presented as initiating the disorder and breaking social rules (Poynting et al. 2004). The media actively attempts to construct cannabis as a danger and an aggressive threat to the morality of society through the projection of anxieties about social problems onto the 'other' and presenting it as the cause of those problems (Poynting et al. 2004).

While moral panics surrounding cannabis have been initiated to induce fear of the drug into the public consciousness, they have also had the reverse effect, enticing people to use the drug through an attractiveness of the unknown. It is ironic that the scare campaigns seem to have played a role in encouraging cannabis use with the hysteria of prohibition rhetoric giving a lot of people an overwhelming desire to try the 'dreaded new sex drug' (Birmingham 2003). What follows is an exploration of the effects of the racialisation, criminalisation, popularisation and medicalisation of cannabis and the related moral panics from the beginning of last century until today.

The Racialisation of Cannabis

There have been many fears and concerns that have motivated the development of laws punishing the use and possession of drugs in the United States, Australia and Britain. However, the symbolic representation of 'race' in the history of drug laws has been of particular importance. Manderson (1999) suggests that the connection between drugs and race relates to images of boundary violation which both drugs and race share. The media is used as a tool to portray and warn of these groups of people who are seen as a threat to the boundaries of the dominant social order.

The notion of 'race' has no fixed and unchanging meaning. The history of the concept is able to be traced back to images of the 'other' in ancient times and it was from the late eighteenth century and early nineteenth century that the term 'race' came to involve the division of humanity into distinct groupings whose members possessed common physical characteristics (Bulmer & Solomos 1999). Writings about 'race' emerging from European society in the eighteenth century contain evidence of what we now call 'racism'. However, the word racism was not coined until the twentieth century, with its use common from the end of the Second World War and the discovery of the horrifying experience of Nazism (Wieviorka 1995). Slavery in the Western hemisphere and European colonisation of other parts of the world outside Europe created forms of racism which are significant to the history of the concept (Bulmer & Solomos 1999). The media was a powerful tool in this time when there was a preoccupation with cross-racial sexual relations, xenophobia and fear for the purity of the white race (Blackman 2004).

The concept of racism developed enormously in the nineteenth century, with 'that century's combination of colonialism, scientific and industrial development, urbanisation, immigration, population movements and, at the same time, of individualisation and the upsurge of nationalisms' (Wieviorka 1995:3-4). Original theories of race focused on 'otherness' between peoples in terms of inherent biological differences (Miles 1989). The sociological analysis of 'race' developed out of a rejection of the biological perspective and was a reaction to the rise of fascism in Germany by Hitler and the German Nazi party in their identification of Jews as an alien and inferior 'race' (Rex 1999). It was at this time that social, or cultural, traits began to be used as signifiers of 'race' as well as physical characteristics as was the case in biological theories (Guillaumin 1999). In more recent times there has been controversy as to whether the notion of 'race' exists at all (Guillaumin 1999). In biological terms there are no 'races', only a range of physical variations in all people, and the ongoing use of the ideological construct only perpetuates the belief that it has a biological grounding (Giddens 2001). On the other hand, it is argued that 'race' has a vital meaning, even if its biological basis has been discredited. While 'race' may or may not truly exist, systems of domination continue to be 'racist' in their effect, constructing categories of

peoples and constructing differences in their value or entitlement in society (Pettman 1992).

Individual, institutional and cultural racism are the three levels of racism that have been identified. Individual racism refers to attitudes and behaviour by individuals directed against others who are identified on the basis of their presumed 'race' (Pettman 1992). This racist behaviour manifests itself in forms ranging from verbal abuse or physical violence, to avoiding or treating people based on widespread inaccurate and derogatory stereotypes. A racist individual believes a collective group of people is inferior to another because of physical traits, which are seen as determinants of social behaviour and moral or intellectual qualities and as a legitimate basis for inferior social treatment (Jones 1972). An important element of individual racism is that all judgments of superiority are based on the traits of oneself as the norm in comparison to the traits of others. However, individuals are not born racist, they are socialised into a culture that has a 'state of mind', a 'set of values' and 'constellation of behaviours' that are transmitted through the generations (Jones 1972). Racism can be seen as an ideology and a social practice; a historically generated set of social relations which are used to reinforce or deny rights and social interests (Pettman 1992).

The idea of institutional racism suggests that 'racism pervades all of society's structures in a systematic manner' (Giddens 2001:251). The theory was developed in the United States in 1967 by civil rights campaigners who suggested that racism underpins the very fabric of society, rather than merely representing the opinions of a small minority. Stokely Carmichael and Charles Hamilton introduced the term to describe a phenomenon that 'relies on the active and pervasive operation of anti-black attitudes and practices', in particular the racist attitude of white superiority that permeates the whole society 'on both the individual and institutional level, covertly and overtly' (1968, cited in San Juan 2002:44). Intertwined with the idea of institutional racism are the concepts of prejudice and discrimination. Prejudice is the preconceived opinions or attitudes about a group or an individual, either positive or negative, that are resistant to change (Giddens 2001). Discrimination is the behavioural manifestation of prejudice towards another group or individual (Jones 1972). While prejudice is often the basis of discrimination the two can exist separately. Racism is one specific form of prejudice and institutional racism can produce discrimination on two levels. The first is the conscious manipulation of institutions to achieve racist objectives, in that racist institutions are used as an extension of individual racist thought (Jones 1972). The policy of Protectionism in Australia from 1869 is an example of this form of institutional racism. The introduction of this policy put the lives of the Aboriginal people into the hands of the colonial powers in what was an attempt to exterminate indigenous culture through the removal of light-skinned children from their families (White & Habibis 2005). The second form of institutional racism, while not necessarily intended, is the byproduct of certain institutional practices which operate to restrict on a racial basis the choices,

rights, mobility and access of groups of individuals (Jones 1972). Once again the Aboriginal population of Australia can be seen to be recipients of this form of racism in their over-representation in the criminal justice system, which continues to be evident today. While this occurrence is not an intended outcome of the justice system to achieve racist objectives, it arises from institutions that reflect and protect dominant social interests (Pettman 1992).

Cultural racism contains elements of both individual and institutional racism and has come to be referred to as the 'new racism'. The theory focuses on the cultural values which underlie the formation of racist institutions, and the values, traditions and assumptions upon which they are formed and within which individuals are socialised (Jones 1972). Racism based on differences in physical traits has been replaced with this 'new racism' which uses cultural arguments instead of biological ones in order to discriminate against certain divisions in a society according to the values of the majority culture (Giddens 2001). An example of this form of racism can be seen in the way in which people of Middle Eastern origin have been stereotyped since the attacks on the United States in September 2001 and portrayed as 'backward, inassimilable, without respect for Western laws and values, and sympathetic to, or complicit with, barbarism and terrorism' (Poynting et al. 2004:2). While these beliefs show little resemblance to the lives of those of Arab, Middle Eastern or Muslim origin, the creation of this 'other' represents social anxieties which have been fuelled by a series of moral panics (Poynting et al. 2004). This clash of civilizations has vilified people of Arabic-speaking background and has led to instances of racial violence against them.

All three forms of racism are evident in the cannabis histories of the United States, Australia and Britain and are evident in the early anti-drug campaigners of the late 1880s and early 1900s. To gain an understanding of the power of 'race' as a symbol in cannabis history and policy, one must first come to an understanding of the place of certain 'races' in each of the three societies at the time.

The American Experience

Chinese immigration to the United States began in large numbers at the time of the Californian gold rush in 1849. While there were only 35 Chinese admitted into the United States between the period of 1841 and 1850, the period 1851 to 1860 saw 41 397 Chinese immigrate to America. This figure rose to its peak in the decade of the 1870s, with 123 201 Chinese admitted, and then declined sharply with the introduction of the First Exclusion Act in 1882, which was an example of institutional racism (figures from the *Annual Report of Immigration and Naturalization Service* 1960, cited in Marden & Meyer 1968:180). Opposition arose to the Chinese as gold miners because they were considered 'industrious and persevering' and it was believed that they depressed the wages and the living standards of the white population. The Chinese were exposed to violence,

discriminatory city ordinances and state legislation as this resentment was expressed and then, in 1882, a Federal Chinese Exclusion Act was passed, suspending all Chinese immigration for ten years. This was repeated for a further ten years in 1892, with the suspension of Chinese immigration extended indefinitely in 1902 and remaining the case until 1943, when, under the pressure of the war situation, China was added to the quota immigrant nations and was allowed 105 entries annually (Marden & Meyer 1968). The introduction of the Exclusion Act sought to protect the Anglo-Saxon element of the American population and was therefore based upon assumptions about the desirable national racial mix with adherence to the values of the cultural majority (Campbell & Kean 1997).

Large numbers of the Chinese immigrants settled together in areas which became known as 'Chinatowns'. The visibility of these regions proved harmful to the public image of the Chinese as they appeared to the white American population as alien and mysterious places. The Chinese language bore no resemblance to any spoken or written language heard before in the United States. The behaviour of these communities was also questioned and condemned. As very few Chinese had traveled with their wives, the predominant immigrant population was male, which led to prostitution being common in the Chinatowns. The Chinese were also great gamblers, and the existence of these activities helped create a stereotyped image of the Chinese of which their custom of opium smoking was included. Opium had been smoked in China since the British introduced it in the nineteenth century, and opium smuggling and opium consumption was at its height in the Chinatowns of America in the 1880s (Marden & Meyer 1968). Already resented by white American society, opium was identified as the Chinaman's 'weapon of social destruction' (Booth 2003). While opium had been used in the United States previously, being the most common analgesic available, it was its relationship with the Chinese that saw the first law passed against opium use and possession in San Francisco in 1875. The passing of this law was an early attempt to control the existence of the Chinese in American society and to socialise them into the cultural, social and political practices of the cultural majority. The initial anti-opium laws were examples of institutional racism against a Chinese tradition that was seen as alien to white American society and were a stepping stone to the immigration restriction acts that followed seven years later.

The tradition of marijuana smoking by Mexicans suffered a similar fate early in the twentieth century. The 'push' of economic and political conditions in Mexico and the 'pull' of employment opportunities in the United States prompted a wave of Mexican immigration over the Rio Grande into Texas, and to a lesser extent, New Mexico beginning in 1910 (Marden & Meyer 1968). Long before this period of large scale immigration, many Mexican Americans resided in the Southwest of America whose families had held land grants prior to any Anglo Americans inhabiting the area (Marden & Meyer 1968). The Mexican society itself was divided between those who owned property and those who were employed in

unskilled labour, of whom both upper-class Mexicans and white Americans considered inferior. By 1836 Anglo Americans outnumbered Mexicans in the Southwest and the relations between the two groups became antagonistic. Following from this, American influence became dominant over the Mexican and, while some upper-class Mexicans attempted to join American society, the poorer and illiterate Mexicans became a distinct ethnic minority. While Mexican immigrants were free to cross the border until 1929, the enforcement of immigration restriction in that year led to the growth of illegal immigrants (Marden & Meyer 1968). The prejudices and fears that were associated with the Mexicans also extended to their traditional means of intoxication: smoking marijuana (Schlosser 2003).

African-American slaves were also familiar with cannabis from their experience of *dagga* in Africa, and were among the first Americans to adopt the practice (Booth 2003). The dominance of white Americans over African-Americans was established at the time the first twenty slaves were brought by settlers to Virginia in 1619 (Marden & Meyer 1968). The slave trade was so extensive that by 1850 one third of the people in the world with African ancestry lived outside Africa, a majority of them in the United States (Frazier 1971). The slaves were never a major part of the economy of the Northern colonies and, until 1910, over ninety per cent of the African-American population was concentrated in the South of the country where, under slavery conditions, their migration was governed by the owners and traders of slaves. At this time, land was available to white Americans either freely or cheaply and therefore many of them wanted to work as independent farmers rather than as wage earners. It was for this reason that the slave trade grew indispensable, as the African-American filled the increasing manpower demands.

Under pressure from the North of the country, where slavery had been virtually eliminated, the Constitution of the new republic set 1808 as the date after which the importation of slaves was to be abolished (Marden & Meyer 1968). However, the expansion of the cotton industry and the invention of the cotton gin in 1793 led to growth of the slave system and the slave population. From 1790 to 1803 the natural increase of the slave population was supplemented by foreign importation of over 100 000 slaves and, due to the prohibition of external trade in 1808, a domestic slave trade developed to meet the increasing demand for slaves (Marden & Meyer 1968). As a way of rebelling against the system that held them hostage, non-cooperation by the slave population earned them a reputation for being lazy, refusing to work hard, being clumsy, breaking tools and other equipment, being dishonest and stealing food and valuables (Frazier 1971). These characteristics were often seen as evidence of the inferiority of the 'race'.

The emancipation of slaves, which was forced upon the South against its will, illustrates the consequences of attempting swift and radical social change without adequate social planning (Marden & Meyer 1968). The years from 1877 to 1900 were a period of renewed victimisation for the African-American population of the

United States. Legal restrictions were imposed on the activities of the black people. The first of these segregation laws applied to public education, where by 1878 most Southern states had introduced a dual education system, with schools for the white population receiving much greater funding (Frazier 1971). Transportation segregation was next, and by the turn of the century, occurring again mostly in the South, states enforced segregation on streetcars and railroads. Segregation continued to be legally maintained in almost every area of social contact including hotels and restaurants, public toilets and hospitals, where instances occurred of African-American people dying because the nearest hospital would not admit them. Public recreation facilities were also segregated and black people were excluded from public parks, except in a limited amount of parks where a special section was set aside for them. A common sign at the entrance of Southern parks was 'Negroes, Soldiers, and Dogs Keep Out' (cited in Marden & Meyer 1968).

The social landscape for both the Mexicans and the African-Americans in the South of the United States early in the twentieth century was similar, with both groups being resented by white American society. The use of marijuana in these communities soon came to the attention of the law enforcement agencies, often being linked to crime and violence. The first by-law against marijuana was passed in El-Paso in 1914 banning the sale and possession of the drug. The town was known as a 'hot bed of marijuana fiends' and consumption of marijuana was attributed to the Mexicans and 'Negroes, prostitutes, pimps and a criminal class of whites' (Sloman 1998). Once the potential of marijuana legislation in achieving suppression of the Mexicans and the African-Americans was realised, other cities and districts were quick to enact their own laws against marijuana, with California in 1915, Texas in 1919, Louisiana in 1924 and New York by 1927 (Sloman 1998). State marijuana laws were often used as an excuse to deport or imprison innocent Mexicans (Booth 2003).

Scare tactics and racist techniques began to be used as state legislatures lobbied in Washington for federal action against cannabis. A member of the Texas state legislature declared 'All Mexicans are crazy and this stuff is what makes them crazy' (cited in Booth 2003:195). Soon the press got on board the anti-cannabis campaign and stories emerged of the effects of the 'killer weed', even in newspapers respected for their objective reporting. A leader in the cannabis smear campaign was the Hearst newspaper chain, owned by William Randolph Hearst, whose lurid reporting about the drug included headlines such as, 'Murder Weed Found Up and Down Coast', and 'Deadly Marijuana Dope Plant Ready For Harvest That Means Enslavement of Californian Children' (cited in Sloman 1998).

The media was fuelled by their anti-Mexican attitudes which were strengthened with the Great Depression in 1929 when jobs were scarce and migrants were seen to be stealing the work of the white work force (Booth 2003). Dr. A.E. Fossier became a leading prohibition campaigner, and in 1931 in an article

entitled 'The Marihuana Menace', published in the *New Orleans Medical and Surgical Journal* (cited in Booth 2003:196-197), he wrote:

The debasing and baneful influence of hashish and opium is not restricted to individuals but has manifested itself in nations and races as well. The dominant race and most enlightened countries are alcoholic, while the races and nations addicted to hemp and opium, some of which once attained to heights of culture and civilization have deteriorated both mentally and physically.

Although hemp had been grown in the United States for centuries as a valuable commodity, this was ignored. It was claimed that the menace of marijuana was comparatively new to the United States, coming from Mexico and sweeping across the nation with incredible speed (Anslinger 1938). Marijuana was identified with foreigners and ethnic minorities, who in a strongly xenophobic and racist white proportion of the American public from which the administration and ruling class were drawn, were already subjected to considerable social exclusion and repression (Booth 2003). A leading member of the American Coalition of Patriotic Societies, C.M. Goothe, announced in *The New York Times* in 1935 that *Marijuana, perhaps now the most insidious of our narcotics* was a direct by-product of unrestricted Mexican immigration (cited in Booth 2003:211-212).

The Australian Experience

The Chinese also played a major role in the early history of drug laws in Australia. The first major influx of Chinese occurred in the 1830s when they arrived to work in the pastoral industry. When gold was discovered in the 1850s, the number of Chinese in Australia increased dramatically. In 1852 there was an estimated 2000 Chinese on the Victorian goldfields and by 1855 there were 8000 in one camp north of Ballarat. The influx continued until Victoria, in 1859, had an estimated Chinese population of 42 000 (Hornadge 1971). When gold became harder to find in the Bendigo and Ballarat fields the miners, both Anglo and Chinese, moved north to fields in New South Wales and Queensland. It is estimated that there were 30 000 Chinese working the north Queensland goldfields, whilst the Chinese population in New South Wales by 1887 had reached 60 000, representing fifteen per cent of the population of the colony (Hornadge 1971). Initially the presence of the Chinese on the Australian goldfields was a source of curiosity and interest, but with time and increasing numbers, they began to be viewed with apprehension which eventually generated hatred (Gittins 1981). Newspaper reports began to make reference to the 'plague of grasshoppers' (Hornadge 1971:4). The *Bulletin* was a prominent newspaper of the time and a central influence in the formation of public opinion. Indicative of the racial climate in Australia at the time, in the 1880s the *Bulletin* changed its masthead to proclaim 'Australia for the White Man' (cited in Manderson 1999:180).

The hatred for the Chinese people was initially related to economic concerns. At the time, Australian unions had been fighting to reduce the hours of work, while the Chinese were willing to work long hours, seven days a week. The *Bulletin* (1887, cited in Hornadge 1971:16) declared *No nigger, no Chinaman, no lascar, no kanaka, no purveyor of cheap coloured labour, is an Australian* and again later suggested that the Chinese were *jaundice-coloured apostles of unlimited competition* (1889, cited in Manderson 1993:19). Once the Chinese were perceived as an economic threat, their customs were quickly turned into proof of their infamy (McQueen 1986). As early as 1855 separate encampments were erected for the Chinese to ensure that white miners would not be 'demoralised' and 'corrupted' by their close proximity (Gittins 1981). Another strong reason for condemnation was due to the fact that the Chinese men came to Australia without their wives. Most of the Chinese who came to Australia did so to escape the poverty of their home country and to make some money for their families. They had no intention of staying permanently and, therefore, left their wives and children in China. The absence of Chinese women and the large community of men living together were seen instantly as a threat to the honour and chastity of innocent European women and girls (Manderson 1993). It was concluded that the community of Chinese men exposed women and young girls to prostitution. The hostility of the white men working on the goldfields towards the Chinese resulted in the Lambing Flat riots in New South Wales at the end of June 1861, which was the worst outbreak of racial violence experienced in Australia (Hornadge 1971).

The tradition of the Chinese to smoke opium was seen as another target of the anti-Chinese sentiment and was believed to be a 'Chinese vice' needing to be set apart and, finally, outlawed (Manderson 1993). The Chinese participated in the practice of smoking in opium dens which became visible parts of Chinese life and represented a symbol of fear of the Chinese as a whole (Manderson 1999). Opium was seen as the means by which the Chinese men came into sexual contact with European women. One belief was that opium weakened a women's personal control or was able to liberate her sexual desires. Also suggested was that cravings for the drug were so strong that women were prepared to prostitute themselves to their Chinese supplier.

Aboriginal women were also feared to be seduced through the power of opium and opium smoking was considered a problem in those indigenous communities that had access to it. Both Queensland and the Northern Territory had large populations of Chinese as well as Aboriginal people. The Queensland *Sale and Use of Poisons Act 1891* was originally proposed to ban all opium use with the exception of its use for medicinal purposes. However, in the event that the Act was passed it applied only to Aborigines penalising 'any persons who supplies, or permits to be supplied, any opium to any aboriginal native of Australia or half-castes of that race...except for medicinal purposes' (cited in Manderson 1993:32). This reinforced British and European racial superiority and the belief that coloured races were inferior to white. The Attorney-General of South

Australia explained that the use of the drug among Aboriginal women would see 'the everlasting ruin of the female Aborigines...lured from their happy wirlies to be the victims of Chinamen' (1895, cited in Manderson 1999:180). He later went on to state that at 'one time the Europeans used to find the blacks useful, now they cannot get them away from the Chinese camps' (1895, cited in Manderson 1993:34). The sale of opium to Aborigines reinforced the reputation of the Chinese as unfair competitors in the labour market.

The threat that was perceived of opium was not in the physical harm it caused but the fact that it promoted racial contact. The *Bulletin* in 1901 (cited in Hornadge 1971:18) summed up the anti-Chinese sentiment in Australia at the time:

Australia...objects to them (Asians) because they introduce a lower civilisation. It objects because they intermarry with white women, and thereby lower the white type, and because they have already created the beginnings of a mongrel race, that has many of the vices of both its parents and few of the virtues of either.

The migration of the Chinese was largely curtailed in 1901 with the passing of the *Immigration Restriction Act*, which marked the beginning of the 'White Australia Policy' (McNamara 1997). Asian migration continued to be restricted for almost three quarters of a century until the 1970s when large numbers of Asians were again allowed to settle permanently in Australia (McNamara & Coughlan 1997). The purpose of the White Australia Policy was to establish an Australian national population that was, as far as possible, exclusively 'white' (Stratton 1998). The Act was introduced in an attempt to keep the Chinese, who were seen as the racial 'other' from entering Australia and was a conscious effort to achieve a racist objective. The opposition to the Chinese in Australia was based on a belief in the superiority of the European white and the inferiority of the Chinese. An editorial in the *Illustrated Sydney News* (1878, cited in McQueen 1986:33) is an example of the intensity of the hostility:

It may be a foolish prejudice that neither reason nor religious principle can justify, but we cannot get over our repugnance to the race, whose tawny, parchment coloured skins, black hair, lank and coarse, no beards, oblique eyes and high cheek bones distinguish them so widely from ourselves, and place them so far beneath our recognized standards of manliness and beauty.

This racial superiority was a common feature of the Aboriginal and Chinese situations in Australia in the late nineteenth and early twentieth centuries; in one case it justified the taking of land and in the other the keeping of land for Europeans (Curthoys 2000). The timing coincided with the building of a national identity for Australia, which meant both distancing itself from, as well as maintaining links with, the British Empire through identification with a common

'race' heritage (White 1997). Ideas of 'race' superiority were evident in the call for the 'cultivation of a national sentiment based on the maintenance of racial purity and the development in Australia of an enlightened and self-reliant community' which represented the Labor Party's first Federal Objective in 1905 (cited in McQueen 1986:270).

While cannabis was little known or little used in Australia until the 1960s, the Commonwealth in 1926 proscribed the importation of cannabis through the *Customs (Prohibited Imports) Proclamation*, at the same time banning the export of cannabis (Department of Health and Aging n.d.). The first state controls over cannabis were not far behind with Victoria being the first through the *Poisons Act* 1927. The other states followed this lead with Tasmania being the last state to enact their *Dangerous Drugs Act* in 1959 (Department of Health and Aging n.d.).

The British Experience

In 1900, the non-white population of Great Britain numbered considerably less than ten thousand, yet this did not prevent drugs and their prohibition from being associated with racial issues and ethnic minorities (Booth 2003). Resembling the United States and Australia, the use of opium by a small immigrant community of Chinese sailors was represented negatively in the press. One of the most striking and distinctive features of the history of British drug discourse however, was its emphasis on women (Kohn 1992). The First World War changed the position of women in British society with the boundaries between men's and women's domains becoming blurred during this time. While the men were away at war the women took it as an opportunity to challenge their place in society (Kohn 1992). Half a million women abandoned servant's quarters and sweatshops for munitions factories and offices, and the average wages of women doubled (Kohn 1992). Women in British society became more visible as they entered into occupations that were once male only domains and began to occupy public space. Young women became clearly defined as a distinct group in British society, and drugs became one way in which concerns about them were able to be articulated as they disrupted several highly sensitive social boundaries, namely sex, class and race (Kohn 1992).

According to Kohn (1992) public anxiety, fuelled by the media, in regard to the combination of drugs and young women started during the period 1900 to 1925 and was compounded by the drug related deaths of four women: Edith and Ida Yeloand, Billie Carleton and Freda Kempton. It was the supposed seduction of these young white women by men of colour through the use of drugs that was a potent symbol in the British media which strengthened the xenophobia and fear for the purity of the white race (Blackman 2004). Headlines emerged such as 'White Girls Hypnotized by Yellow Men' and 'East End Dens of Vice/Babies of Every Colour' which were indicative of the power of the press to create 'otherness', where these young women also became negative icons used to represent the influence of drugs in the corruption of society. That white girls

would associate themselves with the Chinese was seen as disgraceful. An editorial in the *Evening News* asserted, *to the ordinary decent Briton there is something repulsive about the inter-marriage or its equivalent between the white and coloured races*. The Northern correspondent of the *Empire News* declared, *the fascination of the Oriental for many young girls owing to his industry, sobriety, courtesy and good nature has long been regarded... as a moral yellow peril*.

Cannabis was prohibited in Britain when it was added to the schedule of the *Dangerous Drugs Act* in September 1928 (Booth 2003). However, it was not until the mid-1930s that marijuana smoking started to become more popular in Britain. In the 1950s, the arrival of West Indian immigrants to Britain led to a further increase in both the use and interest of cannabis (Brownlee 2002). Once again it was the fear of the 'blacks' corrupting the 'whites', especially women, from which this concern was initiated. At the time the supposed involvement of black men in prostitution and drugs ranked among one of the main government concerns (Kalunta-Crompton 2000). Cannabis was widely believed to be more dangerous than heroin or cocaine, not because of its potential for addiction, but for its facilitation in multi-racial sexual contact (Booth 2003). The media were quick to represent the West Indian immigrants as a new threat to society. John Ralph, writing in the *Sunday Graphic* (1951, cited in Booth 2003:266) stated: *We are dealing with the most evil men who have ever taken to the vice business. The victims are teenage British girls, and to a lesser extent, teenage youths...the racketeers are 90 per cent coloured men from the West Indies and west coast of Africa...there is greatest danger of the reefer craze becoming the greatest social menace this country has known*. The last of his articles on the subject ended with what was perhaps the greatest fear of all, that a time would come when *this country will be all [racial] mixtures...there will only be half castes*.

The moral panic surrounding the racialisation of cannabis included all three of the recognised forms of racism. Individual racism was evident in the treatment of the Chinese entering the predominately white workforces of the three countries. The Mexican and Afro-American populations of the United States, the Aborigines in Australia and the West Indian immigrants to Britain were all exposed to individual racism where, as a collective group of people, they were seen as inferior as a result of their physical characteristics. Institutional racism is clearly evident through the use of cannabis legislation as a means of control over its users. The initial legislation that was developed against cannabis and its use was not for protection from the dangers of the drug, it was due to the realisation of the potential of prohibition to control these groups who were seen as inferior and a threat to white, Anglo ideals. While cultural racism, or new racism, is a more recent notion, there is evidence of the idea in the early racist moral panics surrounding cannabis. It was the cultural tradition of cannabis by the groups who were the target of these moral panics that was used as evidence of their 'otherness' in addition to their physical traits. The moral panic can be seen to initially originate from a Grassroots model, as it was the general public who were concerned about the economic threat of Chinese labor, which led to the panic

surrounding opium. The cannabis panic then turned to both an Interest-Group and an Elite-Engineered panic in which the media was used to publicise concerns and enact legislation to preserve the purity of the white race. Cannabis and its users became representative of the folk devil. The key themes in regard to the racialisation moral panic are presented in Chart 1.

CHART 1 Racialisation Moral Panic

Key Drivers	<i>Dominant White Anglo Society</i> <ul style="list-style-type: none">▪ The general public▪ Specific Interest groups (e.g. anti-immigration lobby)▪ Those in positions of power
Key Targets	<i>Other 'Races'</i> <ul style="list-style-type: none">▪ Chinese▪ Mexican▪ Afro-Americans▪ Aborigines▪ West-Indians
Key Concepts	<i>White Supremacy & Privilege of the White 'race'</i> <ul style="list-style-type: none">▪ Purity of the white race▪ Protection of a desirable racial mix▪ Economic concerns
Key Outcomes	<i>Control & Subordination</i> <ul style="list-style-type: none">▪ To control the existence of and to socialise the 'other' into cultural, social and political practices of the cultural majority▪ To exclude certain categories of people from mainstream life

Whilst the notion of race and cannabis has over the years undergone various forms of reproduction, each has nevertheless served to illustrate popularised ideological constructs through which the tradition of viewing the 'other' community as a threat to the dominant culture is maintained (Kalunta-Crumpton 2005). 'Race' as a symbol played a major role in the formation of early drug legislation and continues to do so even today where the supposed race of a drug offender is often deemed important and portrayed negatively in media reporting of the issue. However, the anti-cannabis campaign took on another symbol of the 'other' beginning in the 1930s. The drug posed a new threat to society which brought ruin through its supposed ability to create criminals.

The Criminalisation of Cannabis

Cannabis emerged to represent a new danger to society with the introduction of the 'Reefer Madness' campaign in the 1930s. In what was to become an 'elite-engineered' moral panic, cannabis was condemned by a small and powerful group in society for its perceived ability to lead users to engage in horrendous crimes. Continuing on from the previous attack against cannabis and its users, it was racial minorities who were initially at the forefront of the next assault. During this time of anti-cannabis sentiment, the official line was that cannabis was a menace to society, systematically turning its users into 'raving lunatics, mentally, physically and spiritually bankrupt and liable to commit heinous crimes at any time in order to feed their evil habit' (Brownlee 2002:102).

Cannabis use became a social problem as it was believed to undermine moral restraints and lead to criminality and violence (Clausen 1976). According to Robert Merton's understanding of social problems, a social problem exists when 'there is a sizeable discrepancy between what is and what people think ought to be' (Merton 1976:7). This discrepancy relates to 'social conditions, processes, societal arrangements or attitudes that are commonly perceived to be undesirable, negative, and threatening certain values or interests such as social cohesion, maintenance of law and order, moral standards, stability of social institutions, economic prosperity or individual freedoms' (Jamrozik & Nocella 1998:1). Social problems can only be explained in the context of the society in which they have occurred and, while some social problems are experienced by the whole population, others are experienced only by certain individuals or groups with similar social circumstances (Jamrozik and Nocella 1998).

For a social problem to transpire there must be a group of people in society, usually those in a position of power or authority, who name a situation as a social problem due to its departure from their standards (Merton 1976). The importance then given to a social problem is dependent upon the values people hold, which can lead to distorted impressions of the consequences of a social problem due to the existence of differing values. As a result of different groups in society holding different and sometimes strongly conflicting interests, ideas about what are important problems and require social action will differ. For these reasons, 'one group's social problem tends to be another group's social solution, just as, sequentially, one group's solution becomes defined as another group's problem' (Merton 1976:10). However, according to Jamrozik and Nocella (1998), all social problems have three identifiable features: the condition must have an identifiable social origin; the condition must constitute a threat or be perceived to constitute a threat to certain values and interests; and, the condition must be able to be removed or resolved.

The use of cannabis was viewed by various groups within American, Australian and British societies as a social problem because it became part of a lifestyle that

ran counter to some conventional, dominant ideals and was seen to threaten basic moral values (Clausen 1976). However, there is also an alternate view which suggests that it was not so much the use of the drug, but the laws that were introduced against it that created the social problem. The legislation that made cannabis unavailable, except through illegal means, transformed the cannabis user into a criminal (Clausen 1976). Prohibition of cannabis violated the values of those who indulged in the practice and created a whole new social problem, which might be perceived as far greater than the drug itself.

The media plays a role in the portrayal of social problems which often leads to them being exaggerated beyond their actual extent (Merton 1976). Public estimates of the impact of a social problem often reflects the trends in the amount of media coverage the social problem receives rather than the actual influence on society it makes. The media is not only an important tool in the identification of social problems and bringing them to the attention of the public; it is also responsible for the creation of social problems through the creation of news (Jamrozik & Nocella 1998). Misconceptions of the extent of a perceived social problem often result from the filtering of the media to produce news-selling stories. Therefore, public perception of a social problem can not be used as a measure of the magnitude of the problem (Merton 1976).

Due to the fact that social theories reflect values and interests prevalent or dominant in a particular society at a particular time, the theories of social problems have developed and changed over time (Jamrozik and Nocella 1998). Rubington and Weinberg (1995, cited in Jamrozik & Nocella 1998) list the seven most influential social problems perspectives as: social pathology; social disorganisation; value conflict; deviant behaviour; labeling; critical theory; and, constructionalist. One of the most useful theories when exploring cannabis and its use as a social problem is the deviant behaviour perspective. Merton was one of the most influential sociologists in the development of this theory, which originated in the 1930s and reached its height of popularity in the 1950s and 1960s when law and order became seen as one of the dominant social problems in Western societies (Jamrozik & Nocella 1998). Merton saw the cause of social deviance in 'the disjunction between culturally propagated and cherished goals and structural arrangements whose feature was the inadequacy of, and barriers to, institutional means for many people to reach those goals' (Jamrozik & Nocella 1998:26-27). Due to the fact that socially acceptable ways to achieve these goals are unavailable to some people, socially deviant behaviour is used as a form of adaptation to such structural arrangements (Jamrozik & Nocella 1998).

Cannabis use, at the time it was defined as a social problem early in the twentieth century, was seen as a form of deviant behaviour. Many theories have been developed in an attempt to explain the concept of deviance, for example, the theory of 'differential association' proposed by criminologist E.H. Sutherland, which suggests that individuals learn deviant behaviour by associating with others who hold deviant norms (White & Haines 2004). However, it is 'labelling

theory', originally developed by Edwin Lemert and Howard Becker, which is best used to describe the deviancy created by cannabis use. According to this theory 'social groups create deviance by making rules whose infraction constitutes deviance, and by applying those rules to particular people and labelling them as outsiders' (Becker 1963:9). The theory removed the attention away from the person who was considered deviant, and instead considered people with the power to apply the label of 'normal' or 'deviant' to others who engage in certain social conduct (Jamrozik & Nocella 1998). Central to the theory is the idea that certain behaviours are able to occur with no real objection until someone states that the behaviour is deviant and must be controlled or stopped (Jamrozik & Nocella 1998). Once certain behaviour is labeled as deviant, the label is also attached to those who engage in the behaviour which influences how other people perceive them, as well as how they view themselves (White & Haines 2004). The concept of 'the self-fulfilling prophecy' refers to the process whereby 'widespread beliefs about some people, even though false, create a social environment that so limits their range of options that their subsequent behaviour seems to confirm those beliefs' (cited in Merton 1976:34).

While labelling theory deals with the formation of deviant careers, it does not attempt to explain the sources of deviance. In relation to cannabis use, ideas held by those who developed 'conflict theory', Austin Turk and Richard Quinney, suggest that it is the powerful elite who incorporate their interests in the making and imposing of legal rules (Merton 1976). The use of cannabis by certain groups in society in the early decades of the 1900s was a custom that was culturally significant. The meaning of the use of cannabis depends upon how the drug use is defined in the users' social units (Merton 1976). Different drugs are used by different cultural and social groupings, and the same drug can take on different meanings in different socially defined settings. Whether an act is considered deviant or not depends on how other people react to it (Becker 1963). While the user of a drug that is disapproved within larger society is defined as deviant, they are not defined as deviant within their own socio-cultural standards. Therefore, deviance is not a quality of the use of cannabis by defined groups, but rather a consequence of the application of rules and sanctions by others (Becker 1963).

Harry Anslinger is a central figure in the history of American drug policy, and the vigor with which he set about to prohibit cannabis in the United States also had repercussions in both Australia and Britain. Becker (1963) states that rules have to be the product of someone's initiative and he identifies a person who exhibits such enterprise as a 'moral entrepreneur'. The moral entrepreneur identifies a matter they perceive as endangering to the morality of society, and they locate the problem as being within certain social structures or population groups (Jamrozik & Nocella 1998). Anslinger took on this role, engaging in the role of the crusading reformer. The evil which profoundly disturbed Anslinger was cannabis and, in coherence with the theory, nothing could be right in the world until rules were made to correct it with any means justified to put an end to the

'evil'. Expert opinion is often required in a moral crusade to give credence to the formation of legislation against the evil in question (Becker 1963). In the case of cannabis prohibition in the United States, the Federal Bureau of Narcotics (FBN), of which Anslinger was the founding director, was believed to hold the required expertise. However, it can be seen that the moral panic that Anslinger created surrounding cannabis generated fear and concern over an issue that was not of such a threatening nature and in its endeavor, created a new group of outsiders in society. The prohibition movement that Anslinger drove brought about the criminalisation of cannabis through his moral campaign to change and protect society (Blackman 2004). The crusade was based on an 'ideology of racial purity', driven by the construction of a 'dangerous other in the form of sexualised foreigners and intoxicating drugs which corrupted young people's morality and thus made drugs a threat to the future of society' (Blackman 2004:27).

The American Experience

Myths surrounding cannabis as a 'drug capable of generating bedlam, undermining society, creating chaos and turning otherwise merciful men into merciless murderers' originated in the thirteenth century and have been retold time and again as evidence of the evil of cannabis (Booth 2003:88). Harry Anslinger was known to use the story in his attempts to prohibit cannabis use in the United States. Anslinger was appointed founding director of the FBN in 1931, with the help of his Uncle who was serving in President Hoover's government and who shared banking interests with the giant DuPont Corporation. DuPont had made its money through munitions during the First World War, but was later forced to diversify. One of the ways it did so was by becoming a major player in oil-based synthetic fibres such as nylon. However, advances being made in the United States hemp industry at the time were threatening to reduce the need for such synthetic fibres. Likewise, DuPont's extensive paper mill interests were also being threatened by the development of hemp-based alternatives. William Randolph Hearst, owner of the Hearst newspaper empire, also had extensive paper mill interests which he wished to protect. Conspirators argue that these were among the reasons why Anslinger sought to destroy the hemp industry (Jones 2003). To do so openly, however, would have caused public outcry. Therefore, a small minority of powerful people in society used the demonisation of cannabis in an attempt to protect their own interests.

Anslinger used the media as his tool to build marijuana up in the public consciousness as the 'Killer Weed' with such statements as, *If the hideous monster Frankenstein came face to face with the monster marihuana, he would drop dead of fright*, which he claimed in *The Washington Herald* in 1937 (cited in Booth 2003:210). Anslinger wrote articles about how the drug induced rapes and murders, in which the perpetrators were again almost always African-American or Mexican; the victims white. These were issued by the FBN to the press or sourced by the newspapers to Anslinger. In 1936, a story went out that is typical

of the coverage. Issued by the Universal News Service (cited in Booth 2003:215) it read in part:

Murders due to 'Killer Drug' Marihuana sweeping United States...shocking crimes of violence are increasing. Murders, slaughterings, cruel mutilations, maimings, done in cold blood, as if some hideous monster was amok in the land...much of this violence [is attributed to] what experts call marihuana. It is another name for hashish...a roadside weed in almost every State in the Union...Those addicted...lose all restrains, all inhibitions. They become bestial demoniacs, filled with the mad lust to kill.

All this publicity strengthened the bond between marijuana, crime and violence. It was compounded by arrested criminals agreeing in their confessions that marijuana had played a part in their crime in the hope of receiving a reduced sentence (Booth 2003). One story in particular was repeated time and again by Anslinger as evidence of the social destruction caused by cannabis. It concerned a young man called Victor Licata who, aged twenty-one, murdered his parents, two brothers and a sister with an axe while under the influence of what he termed a 'marijuana dream' (Booth 2003). The story was picked up and sensationalised by the press, but a closer examination of the case reveals the unreliability of the data. It was revealed later that Licata was in fact criminally insane at the time of the murders. Licata was said to be subject to hallucinations accompanied by 'homicidal impulses' and 'occasional periods of excitement'. The psychiatrist also asserted that his insanity was probably inherited, since his parents were first cousins, his paternal granduncle and two paternal cousins had been committed to insane asylums, and his brother, who was one of the victims, had been diagnosed as suffering from dementia praecox. It was revealed that in the year before the murders the Tampa police had filed a lunacy petition in an attempt to have Licata committed, but withdrew it when his parents pledged that they could take better care of him at home. However, the details of the case were lost on Anslinger who, in his most famous article 'Marijuana Assassin of Youth', published in the *American Magazine* in 1937, four years after the killings, he again publicised the devastating effects of marijuana using the same falsified story, *...staggering about in a human slaughterhouse...with an axe he killed his father, mother, two brothers, and a sister. He had no recollection of having committed this multiple crime. Ordinarily a sane, rather quiet young man, he had become crazed from smoking marihuana* (Anslinger 1938:1).

With few experts available to counter his claims, Anslinger was able to continue his vigorous and sustained anti-marijuana campaign without a reasoned justification other than his own personal prejudice (Booth 2003). The majority of the public felt no real concern for the issue, which was still limited to a small geographical and demographic segment of the country (Sloman 1998). He continued on with his shock stories and, with no qualifications whatsoever, gave his own opinion of the dangers of the drug. Anslinger's first major piece of

prohibition legislation was the *Marihuana Tax Act 1937*. In his famous *American Magazine* article, published a few weeks before the *Marihuana Tax Act* was passed, Anslinger warned that marijuana was as *dangerous as a coiled rattlesnake*. He went on with a highly descriptive account of how the drug was responsible for the death of an innocent man:

In Los Angeles, a youth was walking along a downtown street after inhaling a marihuana cigarette. For many addicts, merely a portion of a 'reefer' is enough to induce intoxication. Suddenly, for no reason, he decided that someone had threatened to kill him and that his life at that very moment was in danger. Wildly he looked about him. The only person in sight was an aged bootblack. Drug-crazed nerve centers conjured the innocent old shoe-shiner into a destroying monster. Mad with fright, the addict hurried to his room and got a gun. He killed the old man, and then, later, babbled his grief over what had been wanton, uncontrolled murder. 'I thought someone was after me', he said. 'That's the only reason I did it. I had never seen the old fellow before. Something just told me to kill him!' That's marihuana!

It was in this climate of largely media-manufactured hysteria that the *Marihuana Tax Act* was enacted and, while falling short of positively outlawing the cultivation of hemp, it taxed the trade so heavily as to make it prohibitive. In an attempt to discover the reality about marijuana and diffuse public concern which had arisen due to the attention of the drug in the media, a scientific and sociological study of marijuana was launched in 1938. Named after its instigator, mayor of the city of New York, the LaGuardia report failed to prove marijuana was harmful. Entitled *The Marihuana Problem in the City of New York* (cited in Booth 2003), the report concluded that marijuana did not lead to addiction in the medical definition of the word; it was not a sexual stimulant; and was not involved with the committing of serious crime. Anslinger (cited in Booth 2003:240) dismissed the report as 'giddy sociology and medical mumbo-jumbo', and continued his campaign against marijuana with a new drive.

Fitting his racist agenda, jazz musicians were his next target as it was Anslinger's belief that they were exerting a negative influence upon the youth of America through the sexual connotations of their lyrics and the sensual movements of the dancing style of the jazz fans (Booth 2003). Jazz musicians, of whom the majority was African-American, avoided alcohol because it dulled their senses and opiates because of the drowsiness they caused. Marijuana was the drug of choice of jazz musicians as it had the ability to enhance their musical creativity and its use became part of the cultural identity of those associated with the jazz world. Anslinger associated the jazz culture with the view that those involved lived dissolute lives and exhibited unconventional behaviour (Booth 2003). Continuing on his moral crusade jazz was blamed for 'endangering the morals of young people by encouraging the release of animal passions through sensual

dancing, boy-girl contact, the sexual content of jazz lyrics and of course the link with drug taking' (Shapiro 1999, cited in Blackman 2004:83).

The Australian Experience

Anslinger's crusade reached Australia in April 1938, when the front page of the Australian newspaper *Smith's Weekly* was dominated by the headline 'New Drug That Maddens Victims'. Subtitled 'Warning from America', the article marked the start of an American-inspired 'Reefer Madness' campaign. The article warned of a *Mexican drug that drives men and women to the wildest sexual excesses* had made its first appearance in Australia with the ability to *distort moral values* and leading to *degrading sexual extravagances* (cited in Jay 2001:7). The drug was marijuana and the article introduced the word into Australian language, promoting it as a new threat even though Australia had already had a long and untroubled history of cannabis use (Jay 2001). Under the influence of this 'new' drug menace, the media warned the public that *the addict becomes at times almost an uncontrollable sex-maniac, able to obtain satisfaction only from the most appalling of perversions and orgies* (cited in Manderson 1993:124).

These stories continued to appear in the Australian media, the *Daily Telegraph* (1938, cited in Manderson 1993:124) in Sydney warned the public about an *evil drug...blamed recently in America for many sex crimes*. Seven weeks after the initial *Smith's Weekly* article, they delivered their second article in the series: 'Drugged Cigarettes: G-Man Warns Australia: First Doped Packets Sneaked In'. The 'G-Man' was A.M. Bangs, the head of the Bureau of Narcotics in Hawaii and one of Anslinger's deputies and he warned that if prompt action was not taken, marijuana would soon flood Australia. The article suggested that the *drug which causes its victims to behave like raving sex maniacs, and has made pathetic slaves of thousands of young Americans* (1938, cited in Jay 2001:12) had been smoked at parties in Sydney.

Although marijuana was not well known in Australia, the force with which the media went about their condemnation meant that government complacency became impossible (Manderson 1993). While cannabis prohibition was sponsored internationally by the governments in South Africa, the United States and Egypt, there was little enthusiasm for cannabis prohibition in either Britain or Australia (Jay 2001). This all changed in light of the publication of the reefer madness campaign, marking the beginning of the 'Americanisation' of cannabis policy in Australia, based not on medical knowledge, but on misinformation and tabloid hysteria. In 1940, following a recommendation by the Health Committee, itself influenced by a United States memorandum concerning the 'alarming influence of addiction to Indian hemp on the development of criminality' (cited in Manderson 1993:125), the Commonwealth agreed to extend the import controls exercised over Indian hemp and its extract and tincture, to also include preparations made using it. Then in 1956, the Commonwealth absolutely prohibited the importation of cannabis into Australia.

The British Experience

Just as in the United States and Australia, cannabis was seen as a cause of moral degradation in British society. The criminal explanation of drug use gained momentum with the involvement of the press, which focused on the apparent ease with which the bourgeoisie could be corrupted by drugs (Booth 2003). It was at this time, in the 1930s, that cannabis use became more prevalent in Britain and, just as had occurred in the United States, it became associated with jazz musicians (Booth 2003). In general, the British press did not follow the sensationalising of the drug as was the case in the United States. However, vivid articles did appear from time to time that depicted the consequences of using cannabis. The *Daily Mirror* (1939, cited in Booth 2003:261-262) ran a piece under the headline 'Just a cigarette you'd think, but it was made from a sinister weed and an innocent girl falls victim to this terror'. In part the text read:

Marihuana...Young girls, once beautiful, whose thin faces show the ravages of the weed they started to smoke for a thrill. Young men who, in the throes of a hangover from the drug, find their only relief in dragging at yet another marihuana cigarette...one girl, just over twenty, known among her friends for her quietness and modesty, suddenly threw all cautions to the winds. She began staying out late at nights. Her parents became anxious when she began to walk around the house without clothes. They stopped her when she attempted to go into the street like that. At times she became violent and showed abnormal strength...soon she left home. No trace could be found of her, but cigarettes and ends in her room were identified as marihuana...her associates became criminals, drug lunatics, and dope peddlers...marihuana drives its victims into society, forcing them to violence, often murder....

The jazz scene emerged in Britain following the Second World War and its followers, namely musicians, West Indians and young whites embraced the culture of jazz imported from the United States including the smoking of marijuana (Booth 2003). Raids on known jazz nightspots led to their notoriety of hosting mostly 'coloured men and white women', and once again the fear of black men corrupting the white, especially women, resurfaced (Booth 2003:265). This alarm corresponded with a time of increasing numbers of West Indians beginning to immigrate to Britain. The press responded to the concern of the jazz movement and represented the musicians in their 'flamboyant suits, shirts and ties' as *coloured loungers who never worked, but drew their unemployment pay, enhanced their income by peddling 'reefers'* (Daily Mail 1956, cited in Booth 2003:266). In the same article the threat of the ruin of white women was presented, and the women were seen as the jazz musicians' 'chief victim' who *craving excitement, haunt the 'hot' jazz spots in the underground dens that are frequented by negroes.*

In an attempt to strengthen their war against cannabis it was declared in the media that there was scientific evidence linking cannabis and jazz. The *Daily Express* (cited in Booth 2003:266) published an article declaring *there is scientific evidence for a much stronger link which involves the basic nature of the human brain. Reefers and rhythm seem to be directly connected with the minute electric 'waves' continually generated by the brain surface. When the rhythm of the music synchronises with the rhythm of the 'brainwaves' the jazz fans experience an almost compulsive urge to move their bodies in sympathy.*

The criminalisation moral panic emerged due to the consideration of cannabis as a social problem and a form of deviance. The idea that cannabis represented a social problem stemmed from the belief that use of the drug undermined moral and social values, and inevitably led the user to criminality and violence. It was again predominately the 'other races' who were labelled as deviant due to their use of cannabis. When an individual representing the white, middle-class became involved with cannabis, their story was sensationalised and damned as a warning for others who might consider experimentation with the drug. The moral panic that resulted was an Elite-Engineered panic, with Harry Anslinger its key promoter. The key themes in regard to the criminalisation moral panic are presented in Chart 2.

CHART 2 Criminalisation Moral Panic

Key Drivers	<i>Harry Anslinger and the FBN</i> <ul style="list-style-type: none">Those holding positions of power
Key Targets	<i>The 'Other'</i> <ul style="list-style-type: none">Racial minoritiesJazz musiciansSections of the white criminal class
Key Concepts	<i>Bond between cannabis, crime & violence</i> <ul style="list-style-type: none">Cannabis as a cause of serious and violent crimesCannabis linked to perverse sexual actsRacial subordination
Key Outcomes	<i>Social & Economic Change</i> <ul style="list-style-type: none">The obliteration of the hemp industry whose products threatened to reduce the need of commodities such as nylon and paper in which Anslinger's family and William Hearst shared financial interestsCriminalisation of certain classes of drug users

Towards the end of the 1940s a new genre of musicians emerged, initially in the United States, known as the 'Beats', and the music as 'Bop'. These musicians

were young and mostly white intellectuals and writers who were followers of the jazz scene. Like those involved in the jazz culture, drugs were also a custom of the Beats. However, marijuana was used not only as a way of altering or enhancing their musical creativeness, it was adopted as a vehicle of dissent against the bourgeois society in which they belonged (Booth 2003). The Beats were responsible for spreading the use of and knowledge for marijuana across society and many began to question the myths that Anslinger and the FBN had immersed society in. A climate of personal liberty, which challenged traditional values and altered concepts of sexuality emerged (Booth 2003). Anslinger had mythologised marijuana and given it national publicity. The media presented an image of drugs as 'dangerously exotic, erotic and fearful through the metaphor of drugs as the assassin of youth' (Blackman 2004:27). People were drawn to the attractiveness of the unknown and began to seek the truth for themselves. It was the start of what was to become the biggest rise in cannabis use – the 1960s.

The Popularisation of Cannabis

The 1960s were a time of social turbulence in which the 'baby boomers', the generation born in the decade following the Second World War, disturbed the calm and conformist way of life of their conservative elders and changed the culture of society (Gerster & Bassett 1991). This era of cannabis history has been termed the 'popularisation' moral panic due to the fact that it was the rapid growth in use among large sections of the youth population that instigated the moral panic. Young people suddenly found themselves presented with unprecedented liberty in the decade and, with Western economies mostly recovered from the depredations of the Second World War, many had money to spend (Booth 2003). The invention of the contraceptive pill altered sexual morality; student activism and feminism were born; and, freedom of speech and the rights of the individual were the basis for demonstrations and sit-ins (Booth 2003). A 'counterculture' emerged from the youth of the day as a way of indicating their disaffiliation and disillusionment with dominant society (Muncie 2004).

While the term 'culture' can be quite ambiguous, for the purposes of looking at the culture of the 1960s, it can be expressed simply as a group's particular way of life, which encompass both intangible aspects, such as beliefs, ideas and values, and tangible aspects, such as objects and symbols (Giddens 2001). Differences between cultures are dependent upon the values which give meaning and provide guidance and norms (Giddens 2001). In any given society there are dominant value systems, which represent dominant cultures. Subcultures emerge which share elements of the dominant culture, but are also distinct from it, representing alternative forms of cultural expression (Brake 1985). While the term 'subculture' is usually applied to groups of youth when highlighting differences from their parent class culture, the term 'counterculture' is used for the youth of the 1960s to describe the subcultures that 'presented articulate counter-proposals of how social relations and the social order should be organised and maintained' (Muncie 2004:174). The decade of the 1960s represents a time when political, educational, work and drug themes emerged that ran counter to conventionally accepted values and patterns of behaviour (Abercrombie, Hill & Turner 2000).

The alternative youth that resulted from the cultural upheaval started to be known by two names. The first were the 'Flower People', who popularised the term 'flower power'. The name emerged when demonstrators in the United States, confronted by the National Guard, walked up to the soldiers and placed flowers in the barrels of their rifles (Booth 2003). The second were the 'Hippies', who covered a wide range of bohemian, drug, student and radical subcultures and offered an alternative to the conventional social system by challenging the traditional concepts of career, education and morality (Brake 1985). Unlike political revolutionaries, they attempted no seizure of power, but rather the

freedom to do their own thing and create their own social system (Howard 1969). They were critical of the growing dominance of technology and bureaucracy in both capitalist and socialist societies (Muncie 2004). Discovering a voice of their own, a counterculture emerged which included themes of music, sex, travel, dissent, and drugs. This counterculture was a generational based movement and the use of marijuana by those involved can be seen as a 'natural extension of middle-class values, such as individualism' and its use symbolised a disregard for dominant society and its values (Brake 1985:93).

The development of this youth counterculture included six main trends: passive resistance, movement, dissociation, expressivity, subjectivity and individualism (Brake 1985). 'Passive resistance' was exercised by youth due to their disenchantment with the political stances of domestic and foreign policy, particularly surrounding the Vietnam War (Brake 1985). Expressive values and idealism replaced conformity and it was believed that if love prevailed, everything would be alright (Brake 1985). The well known slogan 'make love not war' was made popular in this era. 'Movement' by young people was also a big part of the 1960s counterculture both in the geographical sense and in an existential sense (Brake 1985). Travel became accessible by young people, aided by the increase in air travel and the use of the first mass-produced jet airliner, the Boeing 707. Youth set off on adventures which followed the 'hippie trail' and inevitably led them through or directly to countries where cannabis was readily available (Booth 2003). The hippie culture also held the belief that one should 'move' oneself through the use of mind expanding drugs (Brake 1985).

'Dissociation' was sought due to dissatisfaction by youth of the curriculum and career structure of the formal education system offered by universities (Brake 1985). Usually coming from materially comfortable families, the hippies wanted more than just a career, seeking creative work and spiritual satisfaction (Brake 1985). Unlike working-class youth who were born into it, hippies voluntarily entered into lifestyles that included poverty by avoiding work. 'Expressivity' was a protest against materialism, in an endeavor for a creative, rather than affluent, work situation (Brake 1985). 'Subjectivity' was a way of resisting the standards and intrusions of the objective world, opening oneself to experience, assisted by drugs and by religious and mystical explanation (Brake 1985). 'Individualism' was a reaction to what was seen as the 'objectively oppressive social structure with its attendant institutions and social relations' of mass society (Brake 1985:101). Societal reaction to the hippie culture was considerable, and they quickly became threatening folk devils (Brake 1985).

Marijuana was a common element of the hippie counterculture, and began to become widespread in communities where it had previously been unknown, namely by white middle-class youth. The initial attraction was due to the fact that the drug was in the forbidden zone, due to its racial and criminal connotations, which offered both risk and release (Marqusee 2005). At the time, cannabis use became recreational rather than problematic and the concept is known as the

'drug normalisation' theory (Blackman 2004). The first time in modern sociology that the term 'normality' was associated with drug use was in 1938 by Alfred R. Lindesmith who argued that theories of drug use 'tend to be moralistic rather than scientific' and that prohibitionists, through the media, have constructed the drug user as a 'monstrous person' (1938, cited in Blackman 2004:137). Through his research Lindesmith attempted to represent the normality of the drug user, arguing that one of the key factors of drug use is cultural milieu, especially the culture of the group to rationalise and situate motivation for drug use (Blackman 2004). Drug normalisation theory attempts to remove moralistic and pathological understandings of cannabis use by understanding it in terms of cultural norms and as a social practice (Blackman 2004). A more specific concept in the drug normalisation perspective is the idea of 'differentiated normalisation' presented by Shildrick (2002) which is used to explain how different types of drugs and their different types of uses are normalised for different groups of users. Drug normalisation indicates both an apparent increase in the availability of the drug and an increased acceptance in the use of the drug as can be seen in the counterculture of the 1960s (Blackman 2004).

The smoking of marijuana in this time period was as much a symbolic tool as it was a social activity, which was engaged in despite the risky legal implications. It has been suggested that smoking marijuana 'was like sending off a smoke signal of revolt into enemy country' (Horne 1980, cited in Gerster & Bassett 1991:52). The popularisation of cannabis amongst the youth of the day changed the perception of the drug as well as the discourse that had been constructed around it. The fact that white middle-class youth were participating in the use of cannabis led to a distinction between the drugs' users. Previously, users of cannabis had been undifferentiated subjects, in that its use by different racial groups resulted in all members of that 'race' being portrayed as deviant due to their association with the drug. However, the popularisation of the drug in the 1960s resulted in differentiation of users. For white middle-class youth who participated in the smoking of cannabis, the construction of an addiction/dependence discourse presented the user as a victim of the drug (Sercombe 1999). However, the use of cannabis by those belonging to groups in society originally seen as deviant continued to be seen as perpetrators of crime and the rest of society as their victims. Since its depiction as the 'Killer Weed' was no longer a viable scare tactic to prevent white middle-class youth's involvement with the drug, it began to be portrayed as the 'Dropout Drug', associated with passivity and lack of motivation instead of with violence and aggressiveness (Del Olmo 1991). The new discourse that was built up around cannabis included 'antimotivational syndrome', being personality deterioration with loss of energy and drive to work as the main effects of consumption (Johns 2001). The laziness and disinterest that antimotivational syndrome was said to cause was used in another attempt to demonise cannabis, even though many young people, including those who had never smoked cannabis, exhibited the traits of the condition. What resulted was a rejuvenated campaign against cannabis which became part of the 'War on Drugs'.

The American Experience

In the mid-1960s, the social landscape of the United States was changing; half the population was under the age of thirty, and their lives were in a state of flux. A new generation emerged that felt both disowned and disillusioned, with the desire to drop out of society; the hippie movement began (Brownlee 2002). The underground press also came into existence in this era, which argued a counter ideology and analysis, and gave coverage to political and social events not reported in the mainstream media (Brake 1985). The underground press appeared at the time to have two main subjects: marijuana, and drugs in general, was one, the other was the Vietnam War and opposition to it (Booth 2003). Marijuana became recognised as the symbol for this counterculture, and the drug began to be regarded, not just as a cause of criminality, but also associated with a dissolute and un-American lifestyle which was dubbed an existence of sex, drugs and rock 'n' roll (Booth 2003).

The hippies began to settle in rural communities, known as communes, across the United States, where the smoking of marijuana was a social activity. Joints were shared, and marijuana formed a fraternal bond, affording its users a feeling of well-being and benevolence (Booth 2003). Rock music was symbolic of the hippie era, and marijuana was an intrinsic part of the rock music scene. The Beatles, The Rolling Stones, The Eagles and Bob Dylan were all rock music icons of the time and active promoters of marijuana smoking. These musicians became drug heroes; acknowledging drug users, speaking out in favour of drug consumption and producing music that contained drug references, such as Dylan's most famous line 'Everybody must get stoned' (Marqusee 2005:196). The pinnacle of the hippie revolution in the United States was the Woodstock music festival held in August 1969. The festival attracted more than 450 000 cannabis smoking young people, who engaged in, according to the festival's advertising slogan, 'Three Days of Peace and Music' (Brownlee 2002:15). While Woodstock was a success, and a definitive moment in the cannabis culture of the United States and internationally, the older generations of conservative middle-class America condemned the festival and inspired several local and state laws to ensure that gatherings of that kind could never occur again (Brownlee 2002).

The musicians of the time were urging people to make love not war, with Vietnam being another important symbol in the popularisation of marijuana, not only by those who protested America's involvement in the war. The battlefields of Southeast Asia were a source of cheap and plentiful cannabis and its use by troops in Vietnam was both a way of escaping the horror of the war and also a recreational drug which took the place of alcohol which had been prohibited to American forces (Booth 2003). It is estimated that 75 per cent of the soldiers sent to Vietnam used cannabis at some point (Brownlee 2002:54). As well as using it in combat and afterwards, thousands of military personnel sent marijuana supplies back home to family and friends. Troops who were sent home wounded

or after the completion of their duties took supplies with them. The users were no longer just hippies and society dropouts, but a wide spectrum of people. Due to this fact, the media tried to warn potential users that *smoking pot makes you a criminal and a revolutionary. As soon as you take a puff, you are an enemy of society* (Jerry Rubin 1970, cited in Booth 2003:312).

Prohibitionists of cannabis brought about a new condemnation of the drug, in an attempt to enshrine fear in its users and potential users who were now represented by young people from all facets of society. Cannabis was demonised as the 'gateway drug' which was depicted as leading users to eventually progress to harder forms of drugs. A 1965 Federal Bureau of Narcotics publication (cited in Booth 2003:312) declared 'It cannot be too strongly emphasised that the smoking of marijuana is a dangerous first step on the road which usually leads to enslavement by heroin. Never let anyone persuade you to smoke even one marijuana cigarette. It is pure poison.' Richard Nixon was appointed President of the United States in 1969. Soon after he announced a war on drugs, declaring the situation as 'tantamount to a national emergency' (cited in Booth 2003:333). The first campaign of Nixon's war on drugs was 'Operation Intercept' in 1969, in which the Mexican border was blockaded in an attempt to cut off the supply of Mexican marijuana into the United States. The idea was to make marijuana so scarce that its price would be forced high enough to make it financially inaccessible (Booth 2003). The result of the operation was that dealing in marijuana became more sophisticated than ever and became big business for those involved. The other unintended result of the operation was that heroin use exploded in the United States and by 1971 there were close to one million heroin addicts in the United States (Jay 2001:31). David Smith, a doctor at the Haight Ashbury Free Clinic in San Francisco, commented that 'The government's line is that the use of marijuana leads to more dangerous drugs. The fact is that the lack of marijuana leads to dangerous drugs' (cited in Jay 2001:35).

The popularisation of cannabis, coupled with the fact that many otherwise respectable, young, middle-class citizens were receiving prison sentences and criminal records due to their experimentation with and continued use of cannabis, led legislators to reassess the criminality of cannabis use and its penalties by 1970. Due to findings by the Shafer Commissions in 1973, while not legalising cannabis, the government did away with many of the punitive minimum sentences and reclassified cannabis as a soft drug (Brownlee 2002). However, the late 1970s witnessed another turn in cannabis legislation in the United States. The conservative majority rallied against the softer legislation that had been introduced, supported by concerned parents who established anti-cannabis groups over the country, eventually amalgamating into the National Federation of Parents for Drug Free Youth (Brownlee 2002). In November 1980, Ronald Reagan was elected President and reintroduced mandatory minimum sentences for marijuana offences, declaring that if no action was taken, 'we run the risk of losing a large part of a whole generation' (Del Olmo 1991:32). His successor,

George Bush continued with the clampdown on cannabis. Through the 1980s marijuana use declined, however, the use of heroin and cocaine rose which, unlike marijuana, also resulted in a rise in violent crime and robberies (Booth 2003). By the end of the 1980s it was estimated that the United States had spent an astonishing \$3 billion on its anti-drug campaign (Brownlee 2002:56). Despite the most costly and extensive publicity campaign in American history, marijuana use began its resurgence amongst youth in the 1990s (Booth 2003). As stated by Whitman Knapp, senior United States judge for the Southern District of New York; 'Each year, the government spends more on enforcing drug laws than it did the year before; each year, more people have gone to jail for drug offences, yet, each year, there have been more drugs available on the street.' (cited in Jay 2001:81).

The Australian Experience

In Australia, cannabis was also adopted as a symbol by the baby boomers in their rejection of parental values and their exploration of alternatives and countercultures (Gerster & Bassett 1991). At the time the use of cannabis became widespread, embraced by students and youth, and associated with changing moral and societal values and practices, and political order (Department of Health and Aging n.d.) Cannabis became associated with a very different group of users, who were namely young, middle-class and white (Manderson 1993). At the centre of the explosion in the use of cannabis in the 1960s was the discovery of the Hunter Valley crop, a massive infestation of wild cannabis growing along a 65 kilometre stretch of the Hunter Valley in 1964 (Jay 2001). The Beatles had just toured Australia, doing their part to promote the drug through their own use as well as through the lyrics of their songs. This was coupled with the media flurry that followed the discovery of the Hunter Valley crop, which incited many young Australians to want to experiment with cannabis and they were lured to the Hunter Valley (Jay 2001). These young people became known as the 'weed raiders' and they returned from the region with large supplies of cannabis. At the time the *Newcastle Morning Herald* reported that *since the presence of the marihuana was made public the Department of Agriculture office at Maitland had been receiving constant telephone calls from people who want to know how to produce the drug from the plant* (1964, cited in Jay 2001:15). The same newspaper, along with an identifying photo of the plant, went on to reveal that it required no special preparation and merely had to be dried before smoking.

There appeared to be an endless supply of cannabis in Australia in the 1960s. From 1964, until its total eradication in 1969, there was the Hunter Valley crop. After September 1967 there were also the United States servicemen, on rest and recreation leave from Vietnam, who brought with them, attracted, consumed, sold and gave away a considerable quantity of cannabis (Manderson 1993). The media in Australia followed the lead of the United States and promoted the theory that cannabis use led to heroin. However, the generational divisions that were

beginning to emerge at the time led to the distrust of mainstream media by the youth of Australia and cannabis remained their drug of choice (Jay 2001). With the end of the 'R and R' leave of the United States military, the amount of imported cannabis in Australia declined. Coinciding with this time, there was a back to the land movement by the hippie counterculture that had formed in Australia which saw youth leaving the city for country areas (Jay 2001). Sellers and users of the drug discovered that cannabis was an easy plant to grow in Australia and, while more concentrated versions of the drug were still imported, many users grew plants for their own use; some grew enough to sell to their friends and others took it on as a commercial venture. It was these known 'hippie areas' that became the target for Australia's war on drugs, the most famous being the attack on the hippie colony at Cedar Bay in Queensland. On the 29th of August 1976, armed police officers, customs officers, a patrol boat and an RAAF helicopter, raided the twenty inhabitants of Cedar Bay (Manderson 1993). While the police claimed that the purpose of the raid was to track down an alleged drug trafficker, it appears that the real aim of the operation was to destroy the commune which was claimed by the *Courier Mail* to consist of *Hippie-life worse than Aboriginal and Pot-worshippers in humpies* (1971, cited in Manderson 1993:167). Marijuana plants were seized and arrests were made, mainly for vagrancy, however the use of cannabis by these people appeared not to be the real reason behind the raid. Manderson (1993:168) suggests that the Cedar Bay attack was 'a search-and-destroy mission directed against a lifestyle in relation to which marijuana use was only a symptom and a symbol'. This is supported by the claim by Queensland Police Minister, Tom Newbery, that the inhabitants of Cedar Bay were 'undesirable persons...living in complete squalor' (1976, cited in Manderson 1993:168). It was the fact that these people living the hippie lifestyle appeared to be the 'other' that they were feared and victimised. Their smoking of cannabis was used as an excuse for the resentment toward them and a means for explaining their differences (Manderson 1993). Just as had occurred with the Chinese and their opium smoking habit, it was the membership in a particular subculture from which the true objection emerged.

This cannabis subculture that youth were entering into was believed to result in 'dropping out, indolence, lowering of goals, alienation' with its regular use publicised as leading inevitably to antimotivational syndrome (Manderson 1993:147). These concerns prompted two urgency motions on drugs being debated in the New South Wales parliament in 1967 (Manderson 1993). Clarence Earl, who moved one of the motions, expressed his concern about the 'moral decay' and the 'increase in vice' in many of our citizens under twenty three years of age (1967, cited in Manderson 1993:146). The other motion was moved by Jack Renshaw, leader of the opposition and former Labor Premier who was disturbed by the 'present danger to the moral fibre of many young Australians' (1967, cited in Manderson 1993:146). In 1967, the Commonwealth introduced the *Narcotics Drugs Act*, while at state level control of recreational drugs was gradually removed from poisons statutes and placed into specific legislation (Department of Health and Aging n.d.).

The popularisation of cannabis amongst Australia's youth, and doubts about how dangerous the drug really was, made it the weakest link in the drug control regime of the 1970s (Manderson 1993). As penalties relating to its possession and trafficking increased, so did the criticism. The claim that cannabis was equally as dangerous as heroin began to be questioned, and a view was formed that the punishment of offenders should reflect the distinction between the two drugs (Manderson 1993). In 1971, the Senate Select Committee on Drug Trafficking and Drug Abuse (the Marriott Committee) was established to investigate the incidence, distribution and causes of drug use, along with the adequacy of legislation and educational programs. It was concluded that the penalties for drug use should be commensurate with the different degrees of harm presented by different drugs; that young, first offenders should be treated leniently; and, that penalties for trafficking should be severe (Department of Health and Aging n.d.). Despite these recommendations the *Customs Amendment Act (No. 2) 1971* expanded both drug offences and penalties.

In 1972, Gough Whitlam was elected Prime Minister of Australia, stating three aims for his time in the position: to promote equality, to involve the people in decision making processes and to liberate the talents and uplift the horizons of the Australian people (Jay 2001). Within two weeks of his election, conscription was abolished, draft resisters were released from custody and Australian troops were withdrawn from Vietnam (Jay 2001). Voting rights were extended to all Australians over the age of eighteen and university fees were abolished. Whitlam's policies on equality for all citizens led to Aborigines being granted land rights in the Northern Territory (Jay 2001). In 1975, the Australian Capital Territory included a new penalty provision into its Ordinance, which stated that 'The only penalty that may be imposed on a person convicted of an offence...of having had in his possession a quantity of cannabis of less than 25 grams, is a fine not exceeding \$100' (Public Health (Prohibited Drugs) Ordinance 1975 (ACT), cited in Manderson 1993:165). While this did not constitute decriminalisation, as offenders still received a criminal record, it was the first time in Australian history that a drug-related offence penalty had been substantially reduced (Manderson 1993).

While the crime of possession for personal use was deemphasised, the image of the evil drug trafficker became increasingly important. Mere possession, the punishment of which had been so central in the development of Australian drug policy, was beginning to be seen as less of an issue. Following this move by the ACT and amid concerns that the Commonwealth would enact similar legislation, the National Standing Control Committee on Drugs of Dependence began an investigation into penalties for drug offences. Although established during the reign of the Whitlam government, it reported to the new Liberal government of Malcolm Fraser after the general election in 1975 (Manderson 1993). Findings by the committee resulted in the Commonwealth amending the *Custom Act*, as recommendations concerning the penalties for trafficking offences were put

forward that suggested 'cannabis (at least in leaf form) is not as dangerous as heroin and should neither be placed in the same category as this drug nor attract as severe a penalty' (Fraser 1976, cited in Manderson 1993:166). In August 1975, the Whitlam government was preparing legislation that would have separated cannabis from drugs such as heroin, by moving cannabis to a different schedule with lighter penalties (Jay 2001). However, this plan was squashed when Whitlam was dismissed as Prime Minister by the Governor General, Sir John Kerr in 1975, one of the most controversial political moves in Australia's history (Jay 2001). This signified an end to three years of extensive social and cultural reform (Jay 2001).

A Nixon-like war on drugs was launched in Australia in 1976 with the attack on the hippie commune at Cedar Bay and the largest hippie commune in Australia, the Tuntables Falls Co-operative in New South Wales. It was a time of increasing US style prohibition characterised by 'tough on drugs' rhetoric, police crackdowns and a marijuana-drought followed by a heroin plague, where the drug scene shifted from recreational marijuana use to heroin addiction (Jay 2001). Organised crime replaced the 'old hippie dealer network' and the price of cannabis skyrocketed (Jay 2001). A high point of the war on drugs in Australia came with the national launch of Operation Noah (Narcotics, Opiates, Amphetamine, and Hash) on November 13, 1985 (Jay 2001). The front man for this 'dob in a druggie day' was corrupt South Australian drug squad chief, Barry Moyse who, coincidentally, would later be convicted of drug trafficking (Jay 2001). Again, the media were there to lend their assistance in the anti-drug campaign. Brisbane's *Courier Mail* (1985, cited in Jay 2001:63) declared *some civil libertarians may say that informing on others should not be encouraged but, here again, dobbing in is the lesser of two evils*. The *Sunday Mail* also ran a series of sensationalised articles in the weeks leading up to Operation Noah, with one editorial flashing the headline 'Drugs: Join the good fight!' in an attempt to stimulate fear in the public and increase the potential of the operation (1985, cited in Jay 2001:63). The newspapers' portrayal of drugs was firmly in the 'Reefer Madness' mould and followed the usual pattern of titillation, arousal and condemnation, with the style of journalism remaining unchanged since the days of *Smith's Weekly* and Harry Anslinger (Jay 2001).

The British Experience

Cannabis use was of no great concern in Britain at the beginning of the 1960s, with the Inter-departmental Committee on Drug Addiction stating in its report 'cannabis is not a drug of addiction; it is an intoxicant' (1961, cited in Booth 2003:370). However, in 1965, cannabis was beginning to be used increasingly by white youth as a social drug, particularly students who were involved in the creative arts. It was also beginning to emerge in the upper half of the social sphere by those who regarded its use as an alternative to alcohol (Booth 2003). The Caribbean immigrants were the first to be blamed for this rise, however, in

reality it was British youth who were traveling more widely overseas and imitating the trends that were occurring in the United States (Booth 2003).

Societal reaction to the hippie culture that was beginning to emerge in Britain was influenced by the media's portrayal of the hippie as 'a willfully idle, promiscuous, dirty and drug-using vagrant' (Brake 1985:96). A report in *People* in 1967 was coupled with a photo of a dancing, long-haired, naked male and the caption *if you disagree with this – then this paper gives you ten out of ten – the hippy cult is degrading, decadent and plain daft* (1967, cited in Brake 1985:96). The English village of St Ives refused to serve, house or tolerate hippies out of fear for their tourist trade, and signs proclaiming 'No hippies' were common outside restaurants (Brake 1985). A report in the *News of the World* (1969, cited in Brake 1985:96) describing the London Street Commune which occupied an empty Georgian mansion *lit only by the dim light of their drugged cigarettes* declared in its article entitled 'Hippies – Drugs – The Sordid Truth' that:

Drug taking, couples making love while others look on...filth and stench...that is the scene inside the hippies' fortress in London's Piccadilly. These are not rumours but facts, sordid facts which will shock ordinary decent living people.

Just like in America, rock musicians were influential in the popularising of cannabis in Britain. In July of 1967, The Beatles financed a full-page advertisement in *The Times*, under the heading 'The law against marijuana is immoral in principle and unworkable in practice' which was an example of the importance of cannabis as part of the rock music culture (cited in Blackman 2004:90-91). In this cultural climate it was inevitable that, just as Anslinger had targeted jazz musicians, law-enforcement agencies began their attack against rock musicians. Paul McCartney experienced a series of cannabis arrests, but it was the Rolling Stones that were the target of greatest police surveillance in Britain. Mick Jagger and Keith Richards were arrested following a police raid at Richards' home in 1967. The police had received a tip off about the party by a national newspaper wanting a scoop (Booth 2003). Initially both men were handed down prison sentences, Jagger for three months and Richards one year, but these were later successfully appealed. The original sentences created a fury and a protest was held in Fleet Street and a sit-in in London's Hyde Park. It was argued before the appeal that the sentences Jagger and Richards received did not fit the crime and they were being used as scapegoats in the media (Rees-Mogg 1967, cited in Blackman 2004). It was evident after the raid that the police had an easy target in rock musicians, who also created great publicity. This led to corruption in the police force, which was later accused of planting evidence and framing stars such as John Lennon and fellow Beatle George Harrison (Booth 2003). The offices of Britain's underground newspaper *IT (International Times)* were also continually raided by police between 1967 and 1969 and its editors imprisoned or fined on charges of obscenity or conspiracy to corrupt public morals (Muncie 2004).

Due to these corruption claims and criticism of its attitudes towards marijuana, the British government set up an Advisory Committee on Drug Dependence. Their report, published in January 1969, known as the Wootton Report, suggested that, 'Having reviewed all the material available...that the long term consumption of cannabis in moderate doses has no harmful effects'. It went on to say that cannabis was 'very much less dangerous than the opiates, amphetamines and barbiturates, and also less dangerous than alcohol...it is the personality of the user, rather than the properties of the drug, that is likely to cause progression to other drugs' (1969, cited in Booth 2003:375-376). The press opposed these findings, the *Daily Express* going so far as to call it a 'pot-smoker's charter' (Booth 2003:376). The government ignored the findings of the report and, in 1971, increased the penalties for all cases involving cannabis under the *Misuse of Drugs Act* (Booth 2003). Under this new Act, cannabis plants and resin became Class B drugs, along with amphetamines, some barbiturates, tranquillisers and codeine, and cannabis oil belonged with Class A drugs such as heroin, cocaine, crack, LSD, ecstasy and any Class B or C drug that had been prepared for injection (Brownlee 2002). Convictions for possession of marijuana increased in Britain from 235 in 1960 to 4 863 in 1969 and again to 11 111 in 1973 (Muncie 2004:177).

The popularisation of cannabis in the 1960s, and the moral panic which resulted, were due to the fact that the drug was being used by white, middle-class youth. Parallel in the cannabis histories of the United States, Australia and Britain was an increase in the use of cannabis in the 1960s, a hardening on the governments line on drugs in the 1970s and 1980s and, at the same time, enquiries and commissions conducted but mostly ignored by the governments who originally instigated them (Booth 2003). The acceptance and use of cannabis by the counterculture that emerged in the 1960s led to the normalisation of cannabis use. The normalisation theory suggests that use of the drug was part of a broader revolution of cultural transformation and youth identity, and that attitudes towards the drug by its users were very different to those who were responsible for drug policy (Duff 2003). This resulted in an Interest-Group moral panic in an attempt to restore the social equilibrium in society (Springhall 1998). The key themes in regard to the popularisation moral panic are presented in Chart 3.

Cannabis use, due to its movement into the lives of middle-class, white youth, began to be presented as 'a struggle between good and evil' in which the drug continued to be demonised (Del Olmo 1991:18). The new panic that was created involved 'evil' traffickers who were trapping so many 'children of good families' through the lure of cannabis (Del Olmo 1991:18). Those who supplied cannabis to young people were seen as responsible for inciting their consumption and were labelled as criminal (Del Olmo 1991). However, the consumer, coming from a different social circumstance, was labelled as 'sick' and the 'victim' of the drug pusher and the drug due to the development of the addiction/dependence stereotype. This dual discourse resulted in a differentiation of cannabis users which distinguished between the consumer and dealer; the sick and the criminal

(Del Olmo 1991). While, as a result of the counterculture that emerged in the 1960s, a rejuvenated war on drugs was embarked upon, it was also from this time that an additional discourse on cannabis was developed. Cannabis presented a new symbol in society, and the medicalisation of cannabis began.

Chart 3 Popularisation Moral Panic

Key Drivers	<i>Interest-Groups</i> <ul style="list-style-type: none">▪ Doctors through their presentation of cannabis as the 'Dropout Drug' and cause of 'Antimotivational Syndrome'▪ Parental anti-cannabis groups▪ Police in their monitoring of hippie communities and rock music culture
Key Targets	<i>The Counterculture</i> <ul style="list-style-type: none">▪ Hippies▪ Rock musicians
Key Concepts	<i>Degradation of society</i> <ul style="list-style-type: none">▪ The view that cannabis led to a dissolute lifestyle and 'antimotivational' syndrome▪ The view of cannabis as the 'gateway' drug
Key Outcomes	<i>The protection of dominant culture</i> <ul style="list-style-type: none">▪ The belief that cannabis threatened conservative, middle-class ideals▪ Differentiation between middle-class users as 'victims' and working-class and/or black users as 'bad'▪ Differentiation between users as 'victims' and dealers as 'evil'

The Medicalisation of Cannabis

The medicalisation of cannabis also began in the 1960s, when the drug became associated with white, middle-class youth and the explanation of its use changed from being seen as a form of 'badness' to the result of 'sickness' (Conrad & Schneider 1992). The medical discourse included the addiction/dependence model which characterised the drug user as 'sick' and cannabis as a 'disease', creating a medical stereotype of the cannabis user (Del Olmo 1991:12). This model saw the ability of the user 'to choose to act wisely, or to modify behaviour...limited or eliminated', therefore the illegality of their actions was not seen as their own fault (Manderson 1993:181). The trafficker of the drug however, continued to be seen as deviant and their illegal behaviour as a matter of their own choice for which they were to be held responsible (Manderson 1993). As the medical discourse surrounding the drug became more established, categorisation occurred in cannabis legislation that differentiated laws between users; the corrupted, and traffickers; the corruptor, of the drug (Young 1971). The notion of the wicked drug pusher corrupting innocent youth was reflected in the sentences for possession and sale of cannabis which became increasingly disparate (Young 1971). Also associated with the differentiation between users and traffickers of the drug was the introduction of the concept of harm minimisation. The development of harm minimisation strategies saw the inclusion of 'programs for controlling drug use that focus on reducing the harms associated with the drug taking at the level of both the individual and society' (White & Habibis 2005:118). While those who sold cannabis still faced the threat of heavy legal sanctions, the user of the drug began to be dealt with through harm minimisation strategies, such as cannabis cautioning programs which attempt to divert less serious instances of use and possession away from the formality and stigmatisation of the criminal justice system (White & Habibis 2005).

'Medicalisation' refers to the attachment of medical labels and medical intervention to behaviour which is regarded as socially or morally undesirable (Abercrombie, Hill & Turner 2000). Medicalisation can occur by defining behaviour in medical terms; using medical language to describe the behaviour; by adopting a medical framework to understand the behaviour; or, by using a medical intervention in an attempt to treat the behaviour (Conrad 1992). The term became popular in sociological literature in the 1970s due to the influence of social factors such as the confidence in the progress of science and technology; increased prestige and power held by the medical profession; and, the increased value of humanitarianism in Western cultures (Conrad 1992). Another sociological factor in the rise of the medical model has been the decline in religion and the idea that medicine has, in some ways, replaced religion as the dominant moral ideology and social control institution (Conrad 1992). Evidence of this change can be seen in the fact that many conditions, such as the use of cannabis, have experienced a transformation from being regarded as a sin, to a crime, and then to a sickness (Conrad 1992). It has also been observed that as

a deviant behaviour becomes a middle-class rather than just a lower-class problem, the probability of the behaviour being medicalised increases (Conrad & Schneider 1980, cited in Rosecrance 1985).

Conrad and Schneider (1992) have suggested a five stage sequential model of the medicalisation of deviant behaviour. The first stage involves the 'definition of behaviour as deviant'. As negative evaluations of behaviour usually precede its explanation, in most cases the behaviour is already defined as deviant before a medical definition is applied (Conrad & Schneider 1992), as was the case in the medicalisation of cannabis. The second stage, 'prospecting: medical discovery', involves the promotion of the medical deviance designation, usually by medical practitioners through professional medical journals. The medicalisation of the behaviour is promoted by presenting it as a new diagnosis; the proposal of a medical explanation of the behaviour; or, the report of new medical treatment for the behaviour. However, the recognition of the behaviour by medical professionals does not lead to an instant acceptance of its medicalisation. Moral entrepreneurs and campaigners are required to bring the problem or definition to the attention of the public (Conrad & Schneider 1992). This leads to the third stage in the process, the 'claims-making' stage, whereby both medical and non-medical (campaigners, moral entrepreneurs and interest groups) claims are made for the new deviance designation (Conrad & Schneider 1992). The next stage, 'legitimacy: securing medical turf', involves proponents of the medical explanation of a behaviour challenging the existing explanation, which usually involves an appeal to the State to recognise the medical viewpoint (Conrad & Schneider 1992). Finally, the 'institutionalisation of a medical deviance designation' sees the medical viewpoint officially become an accepted category. This involves the explanation being codified, either through being written into law, supported by court decisions, or by being included as an official diagnosis. Bureaucratisation also occurs, where large organisations are developed in an effort to provide institutionalised support for the medicalisation of the behaviour, for example, drug rehabilitation agencies.

The effect of medicalising a deviant behaviour is that medicine becomes an institution of social control, that is, a way in which society 'secures adherence to social norms', by the control of deviance and the promotion of conformity (Conrad & Schneider 1992:7). Medical social control of deviant behaviour usually takes the form of medical intervention in an attempt to modify the behaviour in the name of health (Conrad & Schneider 1992). There are three forms of medical social control which are used: medical technology, medical collaboration, and medical ideology. Medical technology involves the use of pharmaceutical or surgical technologies as controls for deviance (Conrad & Schneider 1992). Medical collaboration involves the alliance of both medicine and other authorities as information providers, gatekeepers, institutional agents, and technicians to serve social control functions (Conrad & Schneider 1992). Medical ideology as a form of social control involves defining the behaviour as an 'illness' because of the social and ideological benefits gained by conceptualising

the behaviour in medical terms. This is the most important function of the medicalisation of cannabis as it removed the blame from, and constructed a shield against, condemnation of individuals, namely white, middle-class youth, for their deviant behaviour (Conrad & Schneider 1992).

In recent times the medicalisation of cannabis has made resurgence in the moral panic that has been created surrounding cannabis use and mental illness. While it was once the acute or immediate short-term effects of the drug, that is, its ability to lead its users to engage in promiscuous sexual acts and commit violent crimes that were warned of by the media, today it is the chronic or long term effects that are presented to induce fear of the drug (Goode 2005). The most recent concern is that cannabis use can lead to mental illness, and the media reports that have surrounded the issue would lead one to believe that cannabis causes a host of mental health problems and that the concern is affecting epidemic proportions of its users (Unity Sale 2005). The 'war' metaphor is used once again, with one Australian newspaper declaring that *mental health is emerging as the latest battleground in the war against drugs* (Moscaritolo 2005:27). The claim is that cannabis is a causal factor of insanity. Specifically, it has been said to cause psychotic-like symptoms during intoxication; to lead to 'cannabis psychosis'; to increase the relative risk of schizophrenia; and, to affect the clinical course of established schizophrenia (McKay & Tennant 2000). These claims are used in the media and public debate to imply that cannabis use has the potential to increase the number of cases of psychosis (Degenhardt, Hall & Lynskey 2003). Representative of the media's portrayal of the debate is one headline which appeared recently in the British newspaper the *Daily Mail*: 'Cannabis Killed My Darling Son'. The report goes on to reveal a *forty per cent leap in mental illness caused by marijuana* and *one mother's haunting story of how is sent her son spiraling into madness...* (The Daily Mail 2006a).

The American Experience

The differentiation between users and traffickers of drugs was introduced in the United States in 1966 when the *National Addict Rehabilitation Act* was passed permitting the drug user to opt for a civil sanction, that is, to choose treatment and rehabilitation over prison (Del Olmo 1991). Methods of treatment were developed in an attempt to 'rescue the drug addict and make him just like the others' (Del Olmo 1991:18). Drug education was also introduced into the school curriculum as a mental-health issue to 'educate the innocent' (Del Olmo 1991:18). In 1970 the *Comprehensive Drug Abuse Prevention and Control Act* was passed which removed mandatory minimum sentences and reduced possession of marijuana to the level of a misdemeanour (Booth 2003). State level legislation followed the lead of the federal government and by 1980 eleven states had removed all criminal sanctions for the possession of cannabis (Booth 2003). However, in November of 1980, Ronald Reagan was elected President of the United States. Two years later he established the White House Drug Abuse Policy Office which reintroduced mandatory minimum sentences for drug

offences (Booth 2003). In 1997, the *Drug Importer Death Penalty Act* was introduced into US Congress, under which anyone importing 'one hundred usual doses' of a controlled substance is to be sentenced to life imprisonment without the possibility of parole (Booth 2003).

While the United States introduced differentiation between users and traffickers of cannabis in accordance with the medical discourse on drugs, more recently the country has returned to its original tough on drugs style. Federally, marijuana remains a Schedule I substance in the United States under the *Controlled Substances Act*, classified as having a high potential for abuse, no currently accepted medical use in treatment in the United States, and a lack of accepted safety for use of the drug or other substance under medical supervision (Office of National Drug Control Policy n.d.). However, at local and state level, some governments have either partially decriminalised the possession of small amounts of cannabis, or simply advised local authorities to limit enforcement of controlled substance laws to more serious offenses. For example, in Denver a 2005 ordinance repealed municipal penalties for possession of less than one ounce of cannabis by adults over the age of twenty-one, while Colorado state and federal penalties still remain in effect (Wikipedia 2006a). In the city of West Hollywood in California, a 2006 advisory policy was adopted suggesting that the city's law enforcement agency should not target simple possession or private consumption of cannabis by adults within the city (Wikipedia 2006a). In May 2002, rejecting an appeal that contended that marijuana does not meet the legal criteria for classification in Schedule I, the United States Court of Appeals for the District of Columbia Circuit, decided to uphold the Drug Enforcement Agency's determination that marijuana must remain a Schedule I controlled substance; the most restrictive schedule under the *Controlled Substances Act* (Office of National Drug Control Policy n.d.).

Despite the tough line that the United States takes towards cannabis, and the latest scare campaign by the media of the 'Dual Demons' created by the *dramatic overlap of addiction and mental illness* (The Washington Post 1990), it is the most commonly used illicit drug in the country. According to the 2005 *National Survey on Drug Use and Health* (Office of National Drug Control Policy n.d.), an estimated 97.5 million Americans aged 12 years or older had tried marijuana at least once in their lifetime, representing 40.1% of the United States population in that age group. The number of people who had used the drug in the past year was approximately 25.4 million (10.4% of the population aged 12 or older) and the number who had used in the past month was 14.6 million (representing 6.0% of the population aged 12 or older) (Office of National Drug Control Policy n.d.). Among the youth surveyed, 6.8% of 12 to 17 year olds and 16.6% of 18 to 25 year olds reported marijuana use in the past month. Results also indicated that there were 2.1 million persons aged 12 or older who had used marijuana for the first time within the previous 12 months.

The Australian Experience

The Australian Royal Commission of Inquiry into Drugs (ARCID) in 1979 recommended the introduction of separate legislation to 'reflect the distinction between criminal exploitation of drug abuse and the social plight of the individual drug user' (cited in Manderson 1993:181). As a result the *Drugs of Dependence Act* was proposed to punish minor offences including possession and use and, in acceptance of the harm minimisation theme of the medical discourse, the penalties attached were relatively small with the emphasis being on treatment and community services (Manderson 1993). Also proposed was the *Drug Trafficking Act* which was designed to facilitate the detection and punishment of trafficking (Manderson 1993). This piece of legislation was set squarely in the criminal justice discourse of drugs, and saw the need for stiff penalties, broad search powers, and complicated provisions for the forfeiture of assets (Manderson 1993). In 1979, the Federal Government made alterations to the *Customs Act* which allowed the use of body cavity searches and listening devices in certain circumstances (Manderson 1993). A new sentencing concept was also introduced with the notion of a 'commercial quantity', that being a quantity one thousand times the 'traffickable quantity', with the maximum penalty for this crime being imprisonment for life (Manderson 1993).

Cannabis legislation in Australia today varies from state to state, as the Australian Constitution contains no general power to legislate on crime (Department of Health and Aging n.d.). While there are differences in civil and criminal penalties for cannabis related offences, all Australian states and territories have implemented systems to divert non-violent, minor and early cannabis offenders from the legal system (Australian Drug Foundation 2005). In South Australia, the Australian Capital Territory and the Northern Territory, possession and growing of small quantities of cannabis has been essentially decriminalised, where offenders pay a fine but no conviction is recorded against them (Bingham 2006). In Victoria, first time minor cannabis users are cautioned and referred to a drug education service (Bingham 2006). The Commonwealth government, however, does have jurisdiction over importation, attempting to import, or conspiring to import cannabis into the country (Australian Drug Foundation 2005).

While recent media headlines have emerged such as 'Cannabis is the Worst Drug for Psychosis' (*The Australian* 2005) and 'Weak Drug Laws Linked to Madness' (*The Weekend Australian* 2005) as part of the media frenzy, cannabis is the most commonly used illicit drug in Australia according to the 2004 *National Drug Strategy Household Survey* (Australian Institute of Health and Welfare 2005). Results of the survey revealed that one in three (33.6% or 5.5 million) Australians aged 14 years and older have used cannabis in their lifetime, and one in twenty (4.6% or 0.8 million) have used the drug in the previous week. The average age at which Australians first used cannabis was 18.7 years old. Also

reveled in the results of the survey was that males (14.4%) were more likely than females (8.3%) to have used the drug in the last 12 months. This trend is also true for use in one's lifetime and for use in the previous month or week. Of the 1.8 million recent users of cannabis revealed by the survey, one in six (16.4%) used the drug everyday and a further one in five (22.8%) used the drug at least once per week. According to the results of the survey, of Australians aged 12 to 15 years old, one in fourteen (7.2%) had used an illicit drug with marijuana use accounting for one in twenty (5.2%) of this figure.

The British Experience

In Britain, the Wootton Committee report of 1968 suggested that the penalties for possessing small amounts of cannabis should be nominal and that the maximum sentence should be reserved for large-scale trafficking (Young 1971). In 1970, the *Misuse of Drugs Bill* was presented and for the first time in Britain there was a clear legal distinction between arrest for possession and sale of marijuana (Young 1971). The Bill received favourable media attention with the *Daily Express* (1970, cited in Young 1971:56) suggesting that *the purpose of the Bill is to crack down on the "pusher" – the creature who corrupts the young, who heartlessly preys on human frailties*. The *Daily Mirror* (1970, cited in Young 1971:57) was in agreement, declaring that *the drug pusher – the contemptible creature who peddles poison for profit – deserves no mercy from the law. The criminal who sets out to hook young people on drugs deserves far more implacable retribution than the victims of his evil*. In 1986, the *Drug Trafficking Act* was passed allowing the police power to seize all the assets acquired by a drug dealer over the previous six years if they were unable to fully account for their legitimate acquisition (Booth 2003).

In January 2004 cannabis was re-classified in Britain and downgraded from a Class B to a Class C drug (Drug Policy Alliance 2004). Most people found in possession of small quantities of the drug will now be given a warning, a caution or a summons to court instead of the previous possibility of arrest and possibly gaol. The reform was recommended by a parliamentary committee in May 2002 following a report by the Police Foundation which concluded that marijuana possession penalties in Britain did more damage than the drug itself by wasting police resources and resulting in otherwise law-abiding citizens acquiring a criminal record (Drug Policy Alliance 2004). In May 2005, the Home Secretary prompted the Advisory Council on the Misuse of Drugs to examine the harmfulness of cannabis, and to consider whether these findings changed their assessment of cannabis as a Class C Drug (Home Office 2006a). Due to the findings of the investigation it was decided not to reverse the previous decision to downgrade the classification of the drug. However, cannabis is still a controlled drug in Britain with possession, production and supply of cannabis still being illegal, only the penalties for these offences have changed (Home Office 2006b). While the maximum penalty for possession of cannabis is two years imprisonment, reduced from five years with the new classification, most offences

of possession result in a warning and confiscation of the drug (Home Office 2006b). However, drug trafficking attracts serious punishment, including life imprisonment for Class A offences. The maximum penalty for supply, dealing, production and trafficking has increased from five years imprisonment to 14 years for all Class C substances (Home Office 2006b).

The reclassification of cannabis in Britain has increased the intensity of the moral panic surrounding the link between the drug and mental illness with the *Daily Mail* (2006b) asserting that the *cannabis law is blamed for the rise in mental illness*. Assertions of the connection between cannabis and mental illness can be traced back as far as the British Indian Hemp Drugs Commission's investigation into similar assumptions in 1893 (Erowid 2005). The investigation concluded at the time that 'when the alleged evil effects of the moderate use of cannabis are subjected to careful examination, the grounds on which the allegations are founded, prove to be in the highest degree defective' (Erowid 2005:4). In 2002 the *Daily Mail* claimed that *smoking cannabis can treble the risk of mental illness*, and then again in 2005 it declared that *teenage cannabis users face up to ten times the risk of mental illness*. While there is no consensus of opinion on the risk of mental illness from the smoking of cannabis, the same newspaper openly and assertively states that *smoking just five joints puts teenagers at risk of psychosis* (*The Daily Mail* 2004).

Despite the current moral panic, cannabis is the most likely drug to be used in Britain with 8.7% of 16-59 year olds having used cannabis in the previous year according to findings of the 2005/06 *British Crime Survey* (Roe & Man 2006). The survey estimates (calculated by multiplying prevalence rate by estimated population in each age group) that 9 475 000 of 16-59 year olds have used cannabis in their lifetime; 2 775 000 in the previous year; and, 1 644 000 in the previous month. It also remains the drug most likely to be used among the 16-24 year old age group with 21.4% of this population having used it in the last year. The estimated number of 16-24 year olds having used cannabis in their lifetime was 2 502 000; estimated users in the last year was 1 338 000 and estimated users in the previous month was 810 000. However, the survey revealed a gradual decline in cannabis use in the age group between 1998 and 2005/06 from 28.2% to 21.4% having used in the previous year.

Marijuana and Madness: The Current Debate

Current research in the area of cannabis use and mental illness indicates that people with clinically diagnosed symptoms of schizophrenia or other psychotic disorders often use cannabis more than members of the general population (Erowid 2005). The same findings looked at from the opposite direction can suggest that cannabis users are more likely to have psychotic symptoms than the general population (Erowid 2005). While cannabis use may be a risk factor for mental illness, the comorbidity of the two conditions does not imply causal linkage, and it is from this position that the debate of cannabis use leading to

mental illness begins. Cannabis may have a reasonable impact on the onset, course, phenomenology and outcome of certain mental illness, however, the current portrayal of the drug by the media as a cause of mental illness is misleading.

Erowid (2005) identifies three types of 'causes': necessary, sufficient and component. A necessary cause is one that must be present before the result can occur. A sufficient cause is one that is, by itself, enough to cause the result. While a component cause is one that is part of a 'constellation' of causes that work together to bring about a result (Erowid 2005). Findings indicate that cannabis is neither necessary nor sufficient to cause mental illness, such as schizophrenia, by itself (Erowid 2005). However, it can be seen as a component factor when combined with a variety of other potential issues such as genetic disposition to mental illness, and possibly worsens symptoms in certain individuals vulnerable to psychotic disorders (Erowid 2005). There is a classification of psychosis within the DSM-IV (the standard Diagnostic and Statistical Manual for Psychiatry) called 'cannabis psychosis' which states that in susceptible individuals, ingestion of sufficient quantities of cannabis can trigger an acute psychotic event, however, the diagnosis of this disorder is very rare (Wikipedia 2006b). The most accepted findings indicate that people with an established vulnerability to a psychotic disorder are particularly sensitive to the effects of cannabis use, in that their use can provoke relapse or aggravate existing symptoms (van Os, Bak, Hanssen, Bijl, de Graaf & Verdoux 2002). In accordance with this finding, the use of cannabis may be seen as a 'life event stressor' for individuals vulnerable to mental illness (Johns 2001). It has also been proposed that cannabis is used increasingly by those suffering from a mental illness as a form of self medication to counter psychotic symptoms or the side effects of antipsychotic drugs (Bersani, Orlandi, Kotzalidis & Pancheri 2002). Related to the 'Self Medication' hypothesis is the suggestion that cannabis is used increasingly during the period before the diagnosis of a mental disorder when psychotic symptoms are experienced and cannabis is used as a way of controlling these symptoms (Erowid 2005).

While numerous papers have been published looking at the issue of whether cannabis causes psychosis, and even more media reports have claimed that it does, the nature of the relationship is still far from clear. It cannot be denied that cannabis use and psychotic disorders are correlated in some way, but claims by the media of the danger of cannabis in causing psychosis are out of proportion to the threat that the connection actually represents. The medical moral panic can be seen to have risen from an interest-group perspective. While initially the panic resulted in a differentiation between users and traffickers of the drug which saw the penalties and stigma attached to the users of cannabis decrease, the panic of today has led to condemnation and stigmatisation of the drug which is as counterproductive as the earliest of the cannabis moral panics. The key themes in regard to the medicalisation moral panic are presented in Chart 4.

CHART 4 Medicalisation Moral Panic

Key Drivers	<i>The Medical Profession</i> <ul style="list-style-type: none">▪ Doctors▪ Specific Interest Groups (e.g. parents of users)▪ Neo-Conservative Moral Entrepreneurs
Key Targets	<i>The Differentiated Subject</i> <ul style="list-style-type: none">▪ White, middle-class youth as 'sick' and blameless▪ The cannabis trafficker as 'evil' and culpable
Key Concepts	<i>Harm Minimisation</i> <ul style="list-style-type: none">▪ Possession versus sale of cannabis▪ Cannabis use leads to mental illness
Key Outcomes	<i>Medical Ideology as a form of Social Control</i> <ul style="list-style-type: none">▪ Changes in cannabis legislation which distinguished between the sale and possession of the drug▪ Emphasis on health issues

It has been suggested by Duff (2003:435) that those who engage in the recreational use of cannabis are far from being mentally ill or the diseased victim of the drug as suggested by the medical discourse, with many drug users being 'well-adjusted, responsible and outgoing' and their use of cannabis a deliberate and conscious choice. It is also evident that a gap is emerging between the 'authoritative discourses' of cannabis use, which include those associated with the medical discourse, and the discourse presented by the user of the drug (Duff 2003). It has been suggested that this disjunction 'does little to facilitate citizenship, and much to further disenchant young people in respect to politics, policing and public services' (Parker, Aldridge & Measham 1998, cited in Duff 2003:444).

Conclusion

The four discourses surrounding cannabis throughout the last century, the racialisation, the criminalisation, the popularisation and the medicalisation, have contributed to the distortion of the reality of the drug in American, Australian and British society. The prohibition of cannabis in each of the three countries has been built upon 'ignorance, prejudice and false assumptions', rather than careful consideration of the scientific evidence and weighing up of the costs and benefits of all reasonable options (Wodak & Moore 2002:12). Cannabis was once an innocuous plant present in all three of the countries and used as a reliable commodity and valuable medicine. Today, while the hemp industry is making a small comeback, and the value of medical marijuana is beginning to be acknowledged, especially in the treatment of cancer patients, the drug continues to be labelled and condemned as the 'other'. The moral panics surrounding the drug have had two main repercussions: an unfounded fear and loathing of the drug by some; and, a temptation toward the drug by others through an attraction of the unknown and forbidden.

The racialisation moral panic had similar origins in the United States, Australia and Britain. It was the dominant white, Anglo society which instigated the moral panic in an attempt to control and subordinate the 'other' based upon their physical differences to the dominant 'race'. It was not the consequences of the drug that led to its initial condemnation, but rather the use of cannabis by the 'other'. The Chinese and their tradition of opium smoking were targeted in all three of the countries. It was the Mexican and Afro-American population of the United States, the Aborigines in Australia, and the West-Indian immigrants in Britain who bore the brunt of the panic and represented the 'other' in their respective countries. The notion of 'white supremacy' was foremost at the time, and the moral panic was used to protect the purity and privilege of the white race. The threat of inter-racial sexual contact was a concern, as was the economic threat of the 'other' who were believed to be stealing the jobs of the white population. The use of cannabis by these minorities was used as evidence of their inferiority and as a target to further exclude them from mainstream life.

Following from the racialisation of cannabis was its criminalisation. It was again used as a weapon against the 'other', which, like the previous moral panic, included racial minorities, but also a criminal class of the white population, and, in the United States and Britain, jazz musicians. This was an elite-engineered moral panic, being the work of those in positions of power and was instigated in the United States by Harry Anslinger. While Anslinger presented his hatred of the drug for its perceived ability to cause serious and violent crime, the threat that the hemp industry posed to the sustainability of commodities such as nylon and paper, of which Anslinger's family held financial interests, was an underlying motive. The panic also proclaimed that cannabis use led to sexually perverse acts, and the fear of inter-racial sexual contact was again evident. The jazz music scene also became a target of the criminal campaign against cannabis,

with those involved in the culture believed to lead dissolute lives and exhibit behaviour which was disapproved by dominant culture. Their cannabis use was seen as responsible for this behaviour and a threat to the youthful fans of the music. The result of this moral campaign was the criminalisation of certain classes of drug users through the introduction of specific cannabis legislation in all three countries.

The popularisation of cannabis occurred in the decade of the 1960s in American, Australian, and British societies, where the use of the drug changed from being problematic to recreational. A counterculture emerged, which was represented by youth of all social classes, who resisted the conformist ideals of the dominant culture. Marijuana was used by the counterculture as part of their rebellion, and as the drug moved into the lives of white, middle-class youth it was evident that the scare tactics that had been used in the racialisation and criminalisation of the drug were failing. The emergence of rock music also promoted cannabis through the lyrics of the music, as well as through the use of the drug by its musicians. Fearing the degradation of society, an interest-group moral panic was prompted in which cannabis was portrayed as presenting a new threat to society. Specific interest-groups, such as doctors, police and parental anti-cannabis groups, attempted to induce a new fear in the emerging counterculture. The campaign presented cannabis as the 'gateway drug' through its alleged ability to lead to the progression onto harder and more dangerous drugs, and as a cause of 'antimotivational syndrome' which developed to a dissolute and unconventional lifestyle. It was in this period of time that a differentiation between users became apparent. The young, white, middle-class user was seen as a victim of the drug, while the 'other', that is, the working-class and/or black user, continued to be seen as bad. Also evident was a differentiation between those who used cannabis recreationally and the 'evil' trafficker of the drug.

This dual discourse continued on into the medicalisation of cannabis. It was during this time that the use of cannabis changed from being seen as a form of 'badness' to the result of 'sickness'. As the medical discourse surrounding the drug became more established, categorisation occurred in cannabis legislation that differentiated laws between users and traffickers of the drug, which was reflected in the penalties for possession and sale of cannabis becoming increasingly disparate. Initially all three of the countries adopted a hybrid legal discourse, where the penalties for possession of cannabis became quite soft and the penalties for trafficking became increasingly tough. The medicalisation of cannabis has also included the most recent moral panic surrounding the drug, which claims that use of cannabis can result in serious mental health problems. While continued research is required to establish the true correlation between cannabis use and mental illness, it appears that the danger presented in the media is out of proportion to the threat that the connection actually represents.

It was during the medicalisation of cannabis that the key divergence between the cannabis histories of the three countries occurred. The lenient penalties for

young, first time cannabis use offenders have remained in Australian and British criminal justice systems. However, the United States have reverted back to their 'tough on drugs' cannabis rhetoric which includes minimum mandatory sentencing for all cannabis offences. This can be seen to be a result of the Neo-Conservative ideals held by those who have been elected to lead the country, as well as fundamentalist religion which holds a powerful influence throughout the United States. Other differences between the three countries can be found in the timing of cannabis issues and related legislation as illustrated in Appendix A.

A trend is also revealed by Appendix A in the United States and Australia in which legislation against opium and cannabis, directed at the control of certain groups, was a stepping stone to legislation that was later introduced to restrict the immigration of the same groups into the two countries. In the United States, legislation against opium was developed in San Francisco seven years before the Federal *Chinese Exclusion Act* was introduced, and the first by-law against marijuana was passed in El-Paso fifteen years before immigration restriction was enforced against Mexican immigrants. In Australia, the first opium prohibition was introduced in Queensland ten years prior to start of the *White Australia Policy* which curtailed Chinese immigration to the country.

Appendix A also reveals similarities in the timing of commissions set up to investigate the effects of cannabis in all three countries as a result of the popularisation of the drug. In 1969, the Wootton Report was published in Britain with findings suggesting that cannabis was much less harmful than originally believed. Two years later, the Marriott Committee in Australia concluded that penalties for drug offences should be commensurate with the different degrees of harm they present; that young, first time offenders should be treated leniently by the criminal justice system; while, penalties for trafficking in the drug should be severe. Again two years on, in 1973, findings of the Schafer Commission led the United States government to remove many of the punitive minimum sentences for the possession of cannabis.

It can be seen that while the United States, Australia and Britain have all experienced the four cannabis discourses and related moral panics with slight variations, the key divergence is the present position of cannabis in each of the societies. In all three countries cannabis began to be characterised as 'illegal' because it was foreign, 'bad' because it was illegal' and its users as 'evil' or 'sick' because they were associated with its illegality (Wodak & Moore 2002:15). The use of the media to create moral panic has led people to question the legitimacy of the demonisation of cannabis and doubt legitimate warnings about much more dangerous drugs. Grinspoon (1985, cited in Del Olmo 1991:13) points out that:

By creating panic, the result is that young people no longer take us seriously...when official organizations affirm that all drugs (all the illegal ones) are equally dangerous; young people prefer to experiment for themselves, with consequences we all know.

Although cannabis does not turn its users into serial killers or irreversibly destroy their brains, it is a powerful intoxicant, and ought to be a matter of public concern, if not moral panic. No drug can be perfectly safe, and every psychoactive substance can be used in ways that are harmful (Nadelmann 2004). However, it is *how* drugs are used, and abused, not whether they *ought* to be used, that is the issue. Unlike legal drugs, such as alcohol and tobacco, which depending upon the criteria used can be considered more 'dangerous' than cannabis, there are no regulatory or control mechanisms linked to cannabis dictating age of purchase, place of consumption, behaviour while under the influence, or contents of products (Wodak & Moore 2002). There are always going to be people who choose to use cannabis and these people will continue to do so in spite of major obstacles placed in their path. The moral panics that have surrounded cannabis throughout the last century have done little to inform these people of ways to increase the safety of their deliberate and conscious choice to use the drug. Information presented in the media about cannabis should respect the intelligence of young people by promoting healthy lives, without scare tactics, lies and hypocrisy (Schlosser 2003).

Cannabis is the most commonly used illicit drug in the United States, Australia and Britain, which shows that media scare campaigns have not curtailed the use of the drug as intended. The exaggeration and distortion, and in some cases, outright lies that have surrounded cannabis media campaigns have led some people to dismiss warnings about the drug. As early as 1971, Jock Young (1971: 58-59) claimed:

You cannot control an activity merely by shouting out that it is forbidden: you must base your measures on facts, and these facts must come from sources that are valued by the people you wish to influence.

There must be a realisation that cannabis, and its use as a mind-altering drug, is not going to be eradicated in the immediate future. It also has to be acknowledged that moral panics do not appear to reduce the use of the drug. However, the media can be used in a constructive manner to promote valuable information concerning the use of cannabis to ensure that youth, of whom some are going to experiment with cannabis (and other illicit drugs) despite whatever warnings are given, do so as safely as possible to reduce the negative consequences of the drug.

Appendix A: Cannabis issues and related legislation

Table 1 Timeline of Cannabis and Related Legislation in the United States, Australia and Britain

Date	United States	Australia	Britain
1875	First law passed against opium use and possession in San Francisco		
1882	Federal <i>Chinese Exclusion Act</i>		
1891		Queensland <i>Sale and Use of Poisons Act</i> introduced to prohibit non-medical use of Opium by Aborigines	
1901		Federal <i>Immigration Restriction Act</i> (White Australia Policy)	
1914	The first by-law against marijuana passed in El-Paso banning the sale and possession of the drug		
1926		The Commonwealth proscribed the import & export of cannabis through the <i>Customs (Prohibited Imports) Proclamation</i>	
1927		The first state controls over cannabis introduced in the Victorian <i>Poisons Act</i>	

1928		Cannabis prohibited through its addition to the <i>Dangerous Drugs Act</i>
1929	Immigration restriction enforced against Mexican immigrants	
1931	Harry Anslinger appointed founding director of the Federal Bureau of Narcotics	
1937	<i>Marihuana Tax Act</i> introduced, taxing the trade so heavily as to make it prohibitive	
1940		Commonwealth agreed to extend the import controls over Indian hemp and its extract and tincture to also include preparations made using it
1956		Commonwealth absolutely prohibited the importation of cannabis
1959		Tasmania was the last state to enact legislation against cannabis through the <i>Dangerous Drugs Act</i>
1967		Commonwealth introduced the <i>Narcotics Drugs Act</i>
1966	The <i>National Addict Rehabilitation Act</i> was passed which allowed convicted drug users to opt for a civil sanction	

1969	Operation Intercept blockaded the Mexican border in an attempt to cut off the supply of Mexican marijuana		Findings of the Wootton Report suggested that cannabis much less harmful than originally believed.
1971		<p>The Marriott Committee concluded that penalties for drug offences should be commensurate with the different degrees of harm presented by different drugs; that young, first offenders should be treated leniently; and, that penalties for trafficking should be severe.</p> <p>Despite these recommendations the <i>Customs Amendment Act (No. 2)</i> expanded both drug offences and penalties</p>	<p>The Government ignored the findings of the Wootton Report and increased the penalties for all cases involving cannabis under the <i>Misuse of Drugs Act</i>. The Act did, however, represent a distinction between arrest for possession and sale of cannabis</p>
1973	Findings of the Shafer Commission led to the government removing many of the punitive minimum sentences and reclassified cannabis as a soft drug		
1975		<p>The ACT included a new penalty provision into its Ordinance representing the first time in Australian history that a drug-related offence penalty had been substantially reduced.</p> <p>Findings by the National Standing Control Committee on Drugs of Dependence resulted in the Commonwealth amending the <i>Customs Act</i> to reflect differences between cannabis users and traffickers.</p> <p>The Whitlam government was preparing legislation that would have separated cannabis from drugs such as heroin, by moving cannabis to a different schedule with lighter penalties.</p>	

		This plan did not go ahead as Whitlam was dismissed as Prime Minister the same year.	
1979		The Australian Royal Commission of Inquiry into Drug recommended the introduction of separate legislation to 'reflect the distinction between criminal exploitation of drug abuse and the social plight of the individual drug user. The <i>Drugs of Dependence Act</i> and the <i>Drug Trafficking Act</i> were proposed as a result	
1980	Ronald Reagan elected President and reintroduced mandatory minimum sentences for marijuana offences		
1985		Operation Noah	
1986			The <i>Drug Trafficking Act</i> passed
1997	The <i>Drug Importer Death Penalty Act</i> was introduced into US Congress		
2004			Cannabis was re-classified from a Class B to a Class C substance, the least harmful & least restricted Class

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Federally cannabis remains a Schedule I substance under the *Controlled Substances Act* classified as having a high potential for abuse, no currently accepted medical use in treatment in the USA, and a lack of accepted safety for use of the drug under medical supervision. However, some local and state governments have either partially decriminalised the possession of small amounts of cannabis, or simply advised local authorities to limit the enforcement of cannabis laws

Cannabis legislation varies from state to state with all states and territories having implemented systems to divert non-violent, minor and early cannabis offenders from the legal system. The Commonwealth government has jurisdiction over the importation of cannabis

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